



To: MAYOR AND COUNCIL

Agenda Item #: VI.C.

From: Cary Teague, Community Development Director

Action

Discussion

Date: December 2, 2014

Information

Subject: PUBLIC HEARING – Comprehensive Plan Amendments For Building Height, Density And Floor Area Ratio; Preliminary Rezoning and Preliminary Development Plan , 7200 France Avenue, 7200 LLC, Resolution No. 2014-150, & Resolution No. 2014-151

Action Requested:

Adopt Resolution No. 2014-150, denying the Comprehensive Plan Amendments.

Adopt Resolution No. 2014-151, denying the Preliminary Rezoning & Preliminary Development Plan.

Planning Commission Recommendation: On November 12, 2014 the Planning Commission recommended denial of the Comprehensive Plan Amendments, Preliminary Rezoning and Preliminary Development Plan: Vote: 8 Ayes, 0 Nays.

The Planning Commission further recommended that a Small Area Plan be done on the OR, Office Residentially designated land on the west side of France Avenue. (See attached Planning Commission minutes.)

Staff Recommendation: Staff recommends denial of both requests.

**Information/Background:
(February 1, 2015)**

The applicant, 7200 LLC is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

The retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west. (See applicant narrative and plans on pages A13 – A56 in the Planning Commission Staff Report and in the attached development plan book.)

To accommodate the request, three amendments to the Comprehensive Plan are required:

- Building Height – from 4 stories and 48 feet to 5 stories and 76.5 feet.
- Housing Density – from 30 units per acre to 50 units per acre.
- Floor Area Ratio – from .5 to 1.49.

In addition, the following land use applications are requested:

- Preliminary Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development; and
- Preliminary Development Plan.

This “preliminary” review is the first step of a two-step process of City review. Should the Comprehensive Plan Amendment and the Preliminary Rezoning be approved by the City Council; the second step would be Final Rezoning to PUD and Final Site Plan review which would again require review by both the Planning Commission and City Council. A Zoning Ordinance Amendment to establish the PUD District would be included in the second step.

The applicant has gone through the Sketch Plan process before the Planning Commission and City Council. (See the sketch plans on pages A57–A61; and the minutes from those meetings on pages A62–A67.) The applicant has developed the proposed plans by attempting to address the issues raised by the Planning Commission and City Council at Sketch Plan. Some of the most significant changes include:

- Reduction in the number of units from 195 to 160.
- Reducing the building height from 6 stories to 5; and reduced the townhome height on the west side from 4 to 3 stories.
- Reducing floor area ratio from 1.88 to 1.49.
- Increased the podium height on France by 10 feet.
- Increased landscaping.
- Created a green boulevard on 72nd Street which serves to prevent left turn out movements from the site. This would eliminate some traffic in the in the low density residential area to the west.
- Increased the setback on the west boundary from 60 feet to 75 feet.
- Reduced the commercial space from 26,500 to 20,000 square feet.

ATTACHMENTS:

- Resolution No. 2014-150
- Resolution No. 2014-151
- Planning Commission minutes, November 12, 2014
- Planning Commission staff report dated November 12, 2014



RESOLUTION NO. 2014-150
RESOLUTION DENYING A COMPREHENSIVE PLAN AMENDMENT
FOR BUILDING HEIGHT, DENSITY AND FLOOR AREA RATIO

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND

1.01 7200 France LLC, is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

The retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west.

1.02 The property is legally described as follows:

See Exhibit A

1.03 The property is guided OR, office residential, under the City's Comprehensive plan.

1.04 To accommodate the proposed development, three amendments to the Comprehensive Plan would be required:

- Building Height – from 4 stories and 48 feet to 5 stories and 76.5 feet.
- Housing Density – from 30 units per acre to 50 units per acre.
- Floor Area Ratio – from .5 to 1.49.

1.05 On November 12, 2014, the Planning Commission recommended denial of the Comprehensive Plan Amendments. Vote: 8 Ayes, 0 Nays.

Section 2. FINDINGS

2.01 The Edina Comprehensive Plan was adopted in 2008. The Plan was the subject of countless public meetings, public input, and public hearings. The building height limitations, housing density, and floor area ratio in the Plan were designed to maintain the character of existing

neighborhoods. The proposed comprehensive plan amendments would not only affect the subject property but all property in the City guided OR, office residential.

- 2.02 The Applicant's desire to construct a building that cannot be constructed without Comprehensive Plan amendments is not a sufficient reason to amend the Comprehensive Plan.
- 2.03 The Subject Property currently has reasonable uses and can be reasonably redeveloped without the Comprehensive Plan Amendment.
- 2.04 The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site.
- 2.05 The proposed density is nearly double allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed.
- 2.06 The proposed building height is 28.5 feet taller than allowed by the Comprehensive Plan.
- 2.07 The proposed plan amendment is at best pre-mature given the Planning Commission's plan to study of the impact on greater development density in the Southdale area, with an emphasis on the west side of France in this OR, Office Residential area.

Section 3. DENIAL

The City Council of the City of Edina, denies the Comprehensive Plan Amendments.

ATTEST: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of December 2, 2014, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2014.

City Clerk



**RESOLUTION NO. 2014-151
RESOLUTION DENYING REZONING
AND PRELIMINARY DEVELOPMENT PLAN
FOR 7200 FRANCE AVENUE**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

1.01 7200 France LLC, is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

The retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west.

1.02 The property is legally described as follows:

See Exhibit A

1.03 To accommodate the request, the following land use applications are required:

- Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development;
and
- Preliminary Development Plan.

1.04 On November 12, 2014, the Planning Commission recommended denial of the Rezoning and Preliminary Development Plan. Vote: 8 Ayes, 0 Nays.

Section 2. FINDINGS

2.01 The City has denied the applicant's request to amend the Comprehensive Plan.

2.02 The proposed rezoning conflicts with the City's comprehensive plan for the following reasons:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site within the Comprehensive Plan.
2. The proposed density is nearly double allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed.
3. The proposed building height is 28.5 feet taller than allowed by the Comprehensive Plan.
4. This area on the west side of France Avenue is seen as a transition area from the low density residential to the west and the higher intensity commercial area on the east side of France. The Comprehensive Plan describes this area as a "transitional area along major thoroughfares or between higher-intensity districts and residential districts." The proposed development is more for square footage than what would normally be allowed in the POD-1 Zoning District.
5. The proposal may set a precedent for similar development requests at this density. There are several properties within this OR, Office Residential area that have buildings in similar condition that may be ripe for redevelopment.

2.03 The Development Plan conflicts with both the City's POD-1 zoning of the property for the following reasons:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site within the Zoning Ordinance.
2. The proposed building height is 28.5 feet and one story taller than allowed by the Zoning Ordinance.
3. The proposed building does not meet the required side yard, front and side street setback requirements.

2.04 The proposed development is at best pre-mature given the Planning Commission's plan to study of the impact on greater development density in the Southdale area, with an emphasis on the west side of France in this OR, Office Residential area.

Section 3. DENIAL

The City Council of the City of Edina, denies the proposed Rezoning and Development Plan.

ATTEST: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of December 2, 2014, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2014.

City Clerk

D. Comprehensive Plan Amendment, Preliminary Rezoning to PUD, Planned unit Development and Preliminary Development Plan. 7200 France LLC. 720 France Avenue, Edina, MN

Planner Presentation

Planner Teague told the Commission the applicant, 7200 LLC is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

Teague explained that the retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west.

Planner Teague reported to accommodate the request; three amendments to the Comprehensive Plan are being required:

- Building Height – from 4 stories and 48 feet to 5 stories and 76.5 feet.
- Housing Density – from 30 units per acre to 50 units per acre.
- Floor Area Ratio – from .5 to 1.49.

In addition, the following land use applications are requested:

- Preliminary Rezoning from POD-I, Planned Office District to PUD, Planned Unit Development; and
- Preliminary Development Plan.

This “preliminary” review is the first step of a two-step process of City review. Should the Comprehensive Plan Amendment and the Preliminary Rezoning be approved by the City Council; the second step would be Final Rezoning to PUD and Final Site Plan review which would again require review by both the Planning Commission and City Council. A Zoning Ordinance Amendment to establish the PUD District would be included in the second step.

Planner Teague concluded while the project does contain a number of components that are desired in the Comprehensive Plan, however, due to the size of the project, staff recommends that the Planning Commission recommend that the City Council deny the requests for Comprehensive Plan Amendments based on the following findings:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site.
2. The proposed density is nearly double allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed
3. This area on the west side of France Avenue is seen as a transition area from the low density residential to the west and the higher intensity commercial area on the east side of France. The Comprehensive Plan describes this area as a “transitional area along major thoroughfares or between higher-intensity districts and residential districts.” The proposed development is more for square footage than what would normally be allowed in the POD-I Zoning District.
4. The proposal may set a precedent for similar development requests at this density. There are several properties within this OR, Office Residential area that have buildings in similar condition that may be ripe for redevelopment.
5. The proposed development is pre-mature given the Planning Commission’s plan to study of the impact on greater development density in the Southdale area, with an emphasis on the west side of France in this OR, Office Residential area.
6. While the applicant has made positive improvements to reduce the size of the development proposed at the sketch plan; staff does not believe they have reduced the size of the development enough to provide a development that is more consistent with the Comprehensive Plan.
7. The availability of access to France Avenue is questionable. If the County does not allow access, the plans may need to be revised.

Teague reported because of the denial recommendation on the Comprehensive Plan amendments, staff recommends that the Planning Commission recommend the City Council deny the Preliminary Rezoning from POD-I, Planned Office District to PUD, Planned Unit Development District

Denial is subject to the following findings:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site.
2. The proposed density is nearly double allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed
3. This area on the west side of France Avenue is seen as a transition area from the low density residential to the west and the higher intensity commercial area on the east side of France. The Comprehensive Plan describes this area as a “transitional area along major thoroughfares or between higher-intensity districts and residential districts.” The proposed development is more for square footage than what would normally be allowed in the POD-I Zoning District.
4. The proposal may set a precedent for similar development requests at this density. There are several properties within this OR, Office Residential area that have buildings in similar condition that may be ripe for redevelopment.

5. The proposed development is pre-mature given the Planning Commission's plan to study of the impact on greater development density in the Southdale area, with an emphasis on the west side of France in this OR, Office Residential area.
6. While the applicant has made positive improvements to reduce the size of the development proposed at the sketch plan; staff does not believe they have reduced the size of the development enough to provide a development that is more consistent with the Comprehensive Plan.
7. The availability of access to France Avenue is questionable. If the County does not allow access, the plans may need to be revised.

Appearing for the Applicant

Dean Dovolis, DJR Architects Inc. and Laurie Boisclair, Boisclair Corporation.

Discussion

Commissioner Platteter asked if there was a link to the public park to the north. He noted at sketch plan review that possibility was mentioned. Planner Teague responded there is no link.

Commissioner Olsen referred to the traffic study that indicated this project would have no impact on the neighborhood and asked if the study included impact and trespass into the neighborhood adjoining the site. Teague responded that movement was part of the traffic analysis.

Applicant Presentation

Dean Dovolis delivered a power point presentation highlighting aspects of the project that were modified from sketch plan review:

- Building height reduced from 6 stories to 5 stories and reduced townhouses on the west from 4 to 3 stories.
- Reduced unit count from 195-units to 160-units.
- Increase podium setback from France Avenue
- Increase landscaping and setback along France
- Introduce green boulevard on 72nd Street
- Increase setback on the west from 60 to 75-feet.
- Reduce Floor Area Ratio (FAR)
- Reduce commercial space from 26,500 to 20,000 sq. ft.

Dovolis indicated commercial traffic would be off France Avenue; not 72nd Street. Dovolis introduced Lori Boisclair to speak to the affordable portion of the project.

Ms. Boisclair addressed the Commission and explained the project proposes 32-units for people who meet certain income levels. Boisclair said this site is an excellent opportunity to provide housing for service workers. She concluded the site is uniquely situated for easy access to commercial areas; and public transportation.

Discussion

Commissioner Forrest asked where the nearest bus stop was located. Mr. Dovolis responded the bus stop is located near Byerly's.

Commissioner Platteter said his major concern is with an increase in traffic on both France Avenue and 72nd Street. Dovolis said traffic is proposed to be split with residential traffic accessing off of West 72nd Street and commercial off France Avenue via slip aisle. Platteter said he is concerned with the slip aisle and questioned if the project has the "go ahead" for access off France Avenue. Mr. Dovolis responded that the proposed slip aisle will take pressure off France Avenue, adding the development team feels confident Hennepin County will approve their request which is similar to the request they approved on the Byerly's site. Platteter further asked if there is a no build area on the west boundary. Dovolis said this site is unique and was given the gift of that green buffered area which will remain no-build. Commissioner Platteter asked if storm water would be treated on site. Mr. Dovolis responded in the affirmative.

Commissioner Schroeder said from his point of view the development team hasn't made the case to support an amendment to the Comprehensive Plan. Mr. Dovolis said they believe their project does; adding it would benefit the neighborhood and City through sustainable design strategies, including efficient lighting, mechanical systems and rainwater harvesting. Continuing, Dovolis also noted that parking is contained within the building, landscaping is increased and affordable housing is front and center in this project.

Chair Staunton opened the public hearing.

Public Testimony

The following addressed the Commission with concerns about the proposed project.

Harvey Turner, 7315 Glouchester Drive addressed the Commission.

Resident Oaklawn/72nd Street, addressed the Commission.

Cathy Campbell, 7201 Bristol Boulevard, addressed the Commission.

Tom O'Connell, 7333 Oaklawn Avenue, addressed the Commission.

Joel Zaslofsky, 7124 Heatherton Trail, addressed the Commission.

Jeanne Toia, 7210 Bristol Circle., addressed the Commission.

John Dolejsi, 7216 Cornelia Drive, addressed the Commission.

Ms. Chamberlain, 7004 Bristol Boulevard, addressed the Commission.

Gene Persha, 6917 Cornelia Drive, addressed the Commission.

Stan Zahorsky, addressed the Commission.

Mark Chamberlain, 7004 Bristol Boulevard, addressed the Commission.

Paul Hughes, 7208 Bristol Boulevard, addressed the Commission.

A resident, 4444 Dunham addressed the Commission.

The following also addressed the Commission

Jack Rice, 4001 49th Street West, addressed the Commission on the need for affordable housing in Edina.

Chair Staunton asked if anyone else would like to speak to the issue; being none, Commissioner Platteter moved to close the public hearing. Commissioner Olsen seconded the motion. All voted aye; motion carried.

Discussion

Chair Staunton asked if retail parking meetings code. Dovolis responded that the site complies with code. Staunton asked Dovolis if he believes West 72nd Street is wide enough to accommodate this development. Dovolis responded in his opinion it's wide enough

Ed Tehar updated the Commission on the findings in the traffic analysis.

Commissioner Carr asked Mr. Dovolis if the unit count can be reduced; adding if reduced many issues (traffic) would be reduced. She stated residents brought up very valid concerns, pointing out City staff cannot support the project as proposed. Mr. Dovolis said to achieve the 20% affordable housing component the density proposed is required.

Commissioner Hobbs said he is new to this proposal; however, feels the City needs a more concrete vision on what they want to see on France Avenue. Hobbs stated France Avenue is very important, adding he can't support the request as submitted.

Commissioner Lee said she has serious concerns about the project, adding one major concern of hers is with Hennepin County and lack of a final answer from them. She said at this time she can't support the project, Hennepin County hasn't given final approval for access; reiterating she can't comment on the project until all facts are known.

Commissioner Platteter said he agrees with the comment on access and that to date Hennepin County hasn't officially weighed in. Platteter pointed out this is a transition area that needs a more sensitive approach. Concluding, Platteter said the project as submitted is too dense.

Commissioner Olsen said she agrees with past comments. The project as proposed is too dense and amending the Comprehensive Plan shouldn't be treated lightly; it's too significant.

Commissioner Schroeder said he acknowledges that change can happen; however, in the greater Southdale area it may be beneficial for the City to begin the process to study what "they" envision along France Avenue in the future. Schroeder said through a small area plan process or similar form of study density thresholds should be established and all details found during the study would need to be analyzed. Schroeder said at this time he cannot support the project as submitted; more study needs to be done to either confirm if the vision for this area as laid out in the Comprehensive Plan is correct and if not; change it.

Motion

Commissioner Olsen moved to recommend denial of the preliminary rezoning and development plan and amendments to the Comprehensive Plan based on staff findings. Commissioner Schroeder seconded the motion. Chair Staunton recommended that the City Council consider authorizing that a small area plan study be done in the OR area of the greater Southdale area. Olsen and Schroeder accepted that amendment. All voted aye; motion to deny carried 8-0.

Chair Staunton told the applicants he applauds them on their efforts to bring affordable housing to Edina; however, in this instance it may be of benefit to the City to develop a small area plan for the greater Southdale area before any more decisions are made on density. He pointed out if one looks at France Avenue from 62nd Street until 78th Street the area encompasses a lot of property with redevelopment potential. Staunton said he is hesitant on making decisions on this area without further study. Staunton reiterated it may be time to consider a small area plan for the greater Southdale area. Commissioners agreed.

Commissioner Forrest said he has concerns that developers presume the Commission and Council would consider amending the Comprehensive Plan.



PLANNING COMMISSION STAFF REPORT

Originator Cary Teague Community Development Director	Meeting Date November 12, 2014	Agenda # VII.D.
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INFORMATION/BACKGROUND

Project Description

The applicant, 7200 LLC is requesting to redevelop the property at 7200 France. (See property location on pages A1-A5.) The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

The retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west. (See applicant narrative and plans on pages A13 – A56 and in the attached development plan book.)

To accommodate the request, three amendments to the Comprehensive Plan are required:

- Building Height – from 4 stories and 48 feet to 5 stories and 76.5 feet.
- Housing Density – from 30 units per acre to 50 units per acre.
- Floor Area Ratio – from .5 to 1.49.

In addition, the following land use applications are requested:

- Preliminary Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development; and
- Preliminary Development Plan.

This “preliminary” review is the first step of a two-step process of City review. Should the Comprehensive Plan Amendment and the Preliminary Rezoning be approved by the City Council; the second step would be Final Rezoning to PUD and Final Site Plan review which would again require review by both the Planning Commission and City Council. A Zoning Ordinance Amendment to establish the PUD District would be included in the second step.

The applicant has gone through the Sketch Plan process before the Planning Commission and City Council. (See the sketch plans on pages A57–A61; and the minutes from those meetings on pages A62–A67.) The applicant has developed the proposed plans by attempting to address the issues raised by the Planning Commission and City Council at Sketch Plan. Some of the most significant changes include:

- Reduction in the number of units from 195 to 160.
- Reducing the building height from 6 stories to 5; and reduced the townhome height on the west side from 4 to 3 stories.
- Reducing floor area ratio from 1.88 to 1.49.
- Increased the podium height on France by 10 feet.
- Increased landscaping.
- Created a green boulevard on 72nd Street which serves to prevent left turn out movements from the site. This would eliminate some traffic in the in the low density residential area to the west.
- Increased the setback on the west boundary from 60 feet to 75 feet.
- Reduced the commercial space from 26,500 to 20,000 square feet.

SUPPORTING INFORMATION

Surrounding Land Uses

- Northerly: Sunrise Senior Assisted Living; zoned PSR, Planned Senior Residential District and guided Office Residential.
- Easterly: Macy’s Home Store; zoned PCD-3, Planned Commercial District and guided CAC, Community Activity Center. (See pages A3–A5.)
- Southerly: An Office Building; zoned Planned Office District and guided Office Residential.
- Westerly: Duplexes and single family homes; zoned R-1 & R-2, Single and Double Dwelling Unit District and guided Low Density Residential.

Existing Site Features

The subject property is 3.51 acres in size, contains a multi-story office building with a low drainage area on the west side of the property that is wooded. (See page A2.)

Planning

Guide Plan designation: OR – Office Residential. (See page A5.)
Zoning: POD-1, Planned Office District (See page A3.)

Site Circulation

Access to the commercial portion of the development would be from France Avenue only. A new curb cut to France would be required. France Avenue is a County roadway, therefore would require Hennepin County approval. This access would be right-in and right-out only and would lead to the underground parking area. (See page A22.) There is an existing turn in lane on France Avenue that would remain. This could be used as a drop off area, and valet parking.

Hennepin County has provided a preliminary review of the plans, and has indicated that they would not approve the right-in and right-out access to the retail, and would like to eliminate the existing turn in lane on France Avenue. Should these access points not be allowed; the entire project may have to be re-configured.

Access to the residential portion of the development would be from 72nd Street. There would be full access in, and right out only. (See page A22.)

Extensive pedestrian paths are planned for the site. A new north/south sidewalk, separated from the street, would be created along France Avenue. As recommended in the Sketch Plan review, the sidewalk has been separated from the turn in lane along France Avenue.

A new east/west sidewalk, separated from the street would be built along 72nd Street. (See page A21.) There would also be an interior circular sidewalk in the court yard area inside the residential portion of the site. (See page A21.)

Traffic & Parking Study

Wenck and Associates conducted a traffic study. (See the attached study on pages A_73–A94.) The study concludes that the proposed development could be supported by the existing adjacent roadways. There would not be a change to the current level of service on the roads. No improvements would be needed to the roadway, other than what is proposed on 72nd Street.

However, as mentioned above, Hennepin County has indicated that they would not allow the access on France Avenue as proposed. Any condition of approval would require County approval or a re-working of the development to provide other access points off 72nd.

Shadow Study

The applicant completed a shadow study to determine impacts the height of the building might have on the surrounding area. (See pages A54–A56.) As demonstrated, the biggest impact would only be for a few hours roughly from 9 am to noon in the winter months when shadows would be cast over the single family homes to the northwest. (See page A54.)

Landscaping

Based on the perimeter of the site, the applicant is required to have 40 over story trees and a full complement of understory shrubs. The applicant is proposing 77 overstory trees, including existing and proposed. The trees would include a mixture of Oak, Maple, Hackberry, Spruce, Honeylocust Aspen, and Linden. (See pages A36–A37, and the development plan book.) A full complement of understory landscaping is proposed around the buildings. Final Landscaping would be more closely reviewed with the Final Site Plan. The west side of the property is a wooded area that would remain to provide a natural buffer area to the low-density residential area to the west.

Loading Dock/Trash Enclosures

Loading for both the retail and residential space would take place from the courtyard area, and would be located inside the building. (See page A22.) Trash would be collected within the buildings and would also pick up from within the courtyard area.

Grading/Drainage/Utilities

The city engineer has reviewed the proposed plans and has a few concerns. (See the engineer's memo on pages A68-A72.) These issues should be addressed at the time of Final Plan review.

Any approvals should be conditioned on the conditions outline in the director of engineering's memo dated November 3, 2014.

Building/Building Material

The building would be constructed of brick, limestone, stucco, composite panels, precast concrete, and glass; "Edina" limestone is proposed at the street level on France Avenue. (See renderings on pages A17–A19 and A23-A26.) A materials board would be presented at the Final Site Plan phase.

Signage

The underlying zoning of the property would be POD-1, therefore, would be subject to signage requirements of that zoning district. Should this project be approved by the City Council; staff would recommend a full signage plan be submitted as part of the Final Development Plan. Plans should specifically include location and size of monument signs and way finding signage. Specific signage regulations would be incorporated into the PUD Zoning District including way finding signage.

Setback from Single Family Homes

Within the underlying POD-1 zoning district, the Edina City Code requires that buildings five stories tall be required to be setback twice the height of the building from the property line of single family homes. The five-story portion of the building would be setback 320 feet from the nearest R-1 property. (See page A2a.) Based on the height of the five-story portion of the building, the required setback is 153 feet.

Comprehensive Guide Plan/Density

To accommodate the request, three amendments to the Comprehensive Plan are requested:

- Building Height – from 4 stories and 48 feet to 5 stories and 76.5 feet.
- Housing Density – from 30 units per acre to 50 units per acre.
- Floor Area Ratio – from .5 to 1.49.

Density. The proposed density of 50 units per acre exceeds the density range for the City's Office Residential area in the Comprehensive Plan by 20 units per acre. (See recent Comprehensive Plan Amendment for Approved Density in the OR District on page A10.) The proposed 50 units per acre density is on the higher end of existing development, but generally consistent with recent development projects.

Development	Address	Units	Units Per Acre
Yorktown Continental (Senior Housing)	7151 York	264	45
The Durham	7201 York	264	46
6500 France (Senior Housing)	6500 France	179	76
York Plaza Condos	7200-20 York	260	34
York Plaza Apartments	7240-60 York	260	29

Edina Place Apartments	7300-50 York	139	15
Walker Elder Suites (Senior)	7400 York	72	40
7500 York Cooperative	7500 York	416	36
Edinburgh Condos	76xx York	392	36
South Haven	3400 Parklawn	100	42
69 th & York Apartments	3121 69 th Street	114	30
Lennar	6725 York	240	52
71 France (Byerly's)	71 France	234	23
Beacon	66 France	39	43

The applicant has attempted to address the density concern that was raised at the Sketch Plan review by reducing the number of units from 190 to 160.

Floor Area Ratio (FAR). The proposed floor area ration is 1.49. Under the current zoning district regulations of the POD-1 District, the maximum FAR allowed is .5. The applicant has attempted to address the FAR concern raised at Sketch Plan by reducing the floor area ratio from 1.88 to 1.49.

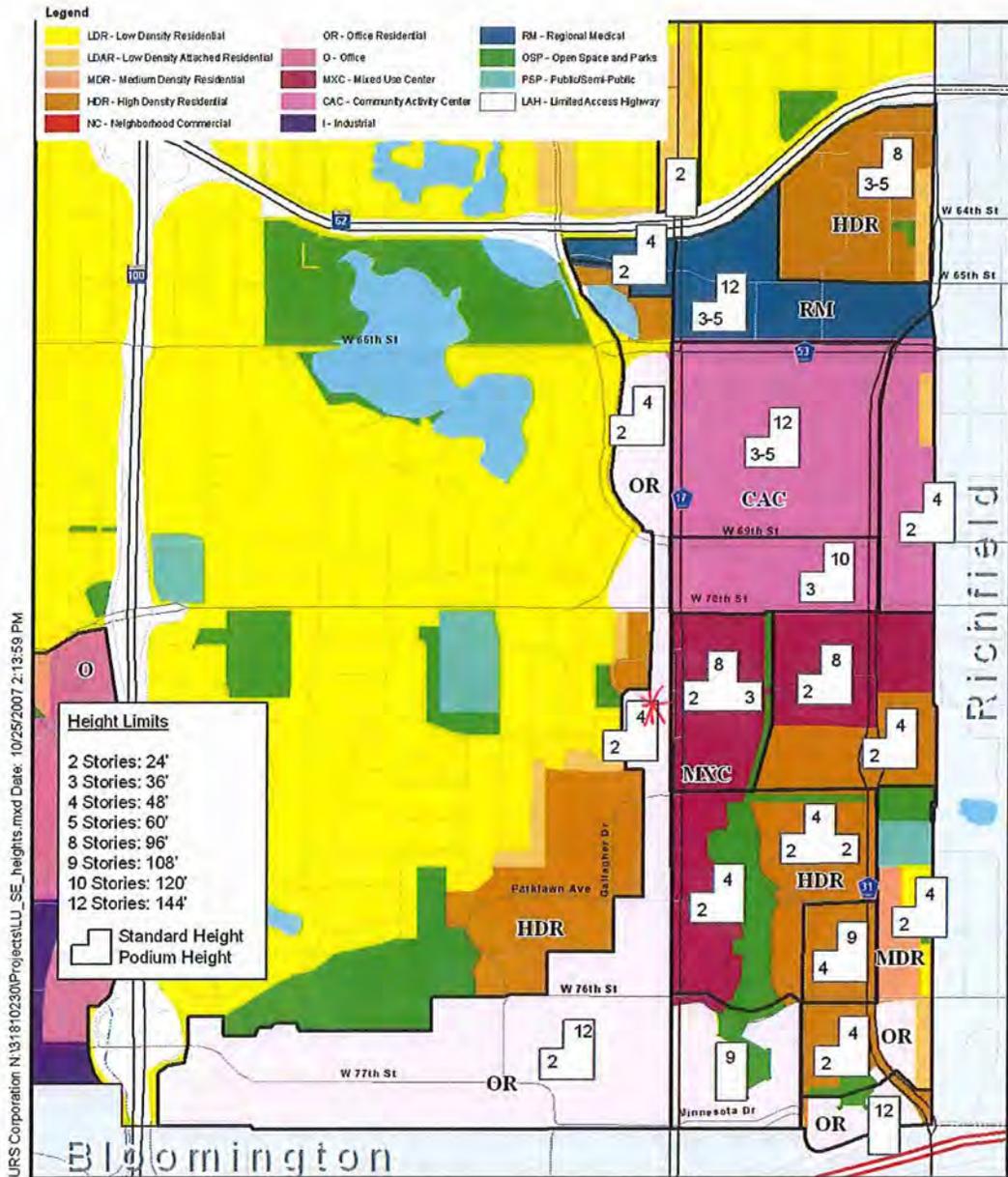
Based on the above information, the following is the suggested Comprehensive Plan Amendment language, as recommended by staff. The text highlighted in red would be added to the existing text. Staff would further suggest flexibility in regard to density for housing in the CAC District.

Nonresidential and Mixed Use Categories	Description, Land Uses	Development Guidelines	Density Guidelines
OR Office-Residential No current examples in City. Potential examples include Pentagon Park area and other I-494 corridor locations	Transitional areas along major thoroughfares or between higher-intensity districts and residential districts. Many existing highway-oriented commercial areas are anticipated to transition to this more mixed-use character. Primary uses are offices, attached or multifamily housing. Secondary uses: Limited retail and service uses (not including "big box" retail), limited industrial (fully	Upgrade existing streetscape and building appearance, improve pedestrian and transit environment. Encourage structured parking and open space linkages where feasible; emphasize the enhancement of the pedestrian environment.	12-30 residential dwelling** units/acre Floor to Area Ratio-Per current Zoning Code: maximum of 0.5 to 1.0** ** Residential density may be increased to 50 units per acre and 1.5 floor area ratio with the provision of a minimum of 20% of the dwelling units being for affordable housing as defined by the Metropolitan Council.

	enclosed), institutional uses, parks and open space. Vertical mixed use should be encouraged, and may be required on larger sites.		
--	--	--	--

Using the above amended text as a basis for review of the subject project, a case could be made to support the proposed high density through the PUD Zoning process.

Height. At Sketch Plan review, the Planning Commission and City Council expressed some concern in regard to six-stories on the site. Podium height was recommended to minimize the height. The applicant has attempted to address the issue by increasing the podium height on France by 10 feet; and reduced the height from six-to-five stories. (See comparison on page A27.) Should the Planning Commission and City Council choose to support the proposed height increase; staff would recommend the following amendment to the Comprehensive Plan:



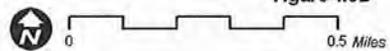
City of Edina
2008 Comprehensive Plan Update

Data Source: URS

Future Land Use Plan with Building Heights

Southeast Quadrant

Figure 4.6B



*** Height may be increased to five stories if podium height is utilized on France Avenue and adjacent to low-density residential uses.**

Planned Unit Development (PUD)

Section 36-253 of the Edina City Code provides the following regulations for a PUD:

1. ***Purpose and Intent. The purpose of the PUD District is to provide comprehensive procedures and standards intended to allow more creativity and flexibility in site plan design than would be possible under a conventional zoning district. The decision to zone property to PUD is a public policy decision for the City Council to make in its legislative capacity. The purpose and intent of a PUD is to include most or all of the following:***
 - a. ***provide for the establishment of PUD (planned unit development) zoning districts in appropriate settings and situations to create or maintain a development pattern that is consistent with the City's Comprehensive Plan;***
 - b. ***promote a more creative and efficient approach to land use within the City, while at the same time protecting and promoting the health, safety, comfort, aesthetics, economic viability, and general welfare of the City;***
 - c. ***provide for variations to the strict application of the land use regulations in order to improve site design and operation, while at the same time incorporate design elements that exceed the City's standards to offset the effect of any variations. Desired design elements may include: sustainable design, greater utilization of new technologies in building design, special construction materials, landscaping, lighting, stormwater management, pedestrian oriented design, and podium height at a street or transition to residential neighborhoods, parks or other sensitive uses;***
 - d. ***ensure high quality of design and design compatible with surrounding land uses, including both existing and planned;***
 - e. ***maintain or improve the efficiency of public streets and utilities;***
 - f. ***preserve and enhance site characteristics including natural features, wetland protection, trees, open space, scenic views, and screening;***
 - g. ***allow for mixing of land uses within a development;***

- h. encourage a variety of housing types including affordable housing; and***
- i. ensure the establishment of appropriate transitions between differing land uses.***

The proposal would meet the purpose and intent of the PUD, as most of the above criteria would be met. The site is guided in the Comprehensive Plan as "Office Residential - OR," which allows residential use and retail on a limited basis. Mixed uses are encouraged.

The primary use would be residential; and the retail use would be secondary, and serve not only the new residential use, but residential uses and office uses in the area. The site would be very pedestrian friendly with extensive pedestrian paths planned for the site. A new north/south sidewalk, separated from the street, would be created along France Avenue; a new east/west sidewalk, separated from the street would be built along 72nd Street, and interior sidewalks would be provided. (See page A21.)

As recommended in the Comprehensive Plan, and by the Planning Commission and City Council as part of the Sketch Plan review, podium height would be utilized on France Avenue and from the low-density residential area to the west to lessen impact to the single-family and two-family homes to the west. There would be three-story apartments on the west side; and the wooded area on the west side of the site would also be preserved to screen the use. (See page A20.)

The applicant is also proposing sustainability principles within their project narrative. (See page A14.) The project would include high efficiency mechanical equipment, appliances and electrical fixtures. Roof mounted photovoltaic panels for electrical energy generation are proposed. The applicant is pledging an energy savings 20% over current energy code requirements.

The proposed buildings would be a high quality brick, limestone, precast concrete, composite metal panel and glass building. "Edina" limestone is proposed at the street level on France. (See pages A24–A26.)

The most significant element of the plan, in regard to PUD requirements, is providing 20% of the units for affordable housing. That would be 32 units toward the city's goal of 212 units by the year 2020 as established with the Metropolitan Council.

2. Applicability/Criteria

- a. Uses. All permitted uses, permitted accessory uses, conditional uses, and uses allowed by administrative permit contained in the various zoning districts defined in Section 850 of this Title shall be treated as potentially allowable uses within a PUD district, provided they would be allowable on the site under the Comprehensive Plan. Property currently zoned R-1, R-2 and PRD-1 shall not be eligible for a PUD.**

The proposed uses, residential and limited retail are uses allowed in the Office Residential area, as described in the Comprehensive Plan.

- b. Eligibility Standards. To be eligible for a PUD district, all development should be in compliance with the following:**
 - i. where the site of a proposed PUD is designated for more than one (1) land use in the Comprehensive Plan, the City may require that the PUD include all the land uses so designated or such combination of the designated uses as the City Council shall deem appropriate to achieve the purposes of this ordinance and the Comprehensive Plan;**

The site is guided in the Comprehensive Plan as "Office Residential – OR," which encourages the mixing of uses. In this instance the uses are residential and limited retail. The proposed uses are therefore, consistent with the Comprehensive Plan.

- ii. any PUD which involves a single land use type or housing type may be permitted provided that it is otherwise consistent with the objectives of this ordinance and the Comprehensive Plan;**

Again, the proposal is for a mixture of land uses.

- iii. permitted densities may be specifically stated in the appropriate planned development designation and shall be in general conformance with the Comprehensive Plan; and**

The proposed density is not consistent with the Comprehensive Plan. The Comprehensive Plan would have to be amendment for the proposed development to be built.

- iv. the setback regulation, building coverage and floor area ratio of the most closely related conventional zoning**

district shall be considered presumptively appropriate, but may be departed from to accomplish the purpose and intent described in #1 above.

Below is a compliance table demonstrating how the proposed new building would comply with the underlying POD-1 Zoning Ordinance Standards. Should the City decide to rezone this site to PUD, the proposed setbacks, height of the building and number of parking stalls would become the standards for the lots. Please note that a few City Standards are not met under conventional zoning. However, by relaxing these standards, the purpose and intent, as described in #1 above would be met.

Compliance Table

	City Standard (POD-1)	Proposed
<u>Building Setbacks</u> Front – France Avenue Front – 72 nd Street Side – South Rear – West	77 feet 77 feet 77 feet 34 & 46 feet	<i>26 feet*</i> <i>27 feet*</i> <i>5 feet*</i> 75 feet
Building Height	Four stories and 48 feet	<i>Five Stories & 77 feet*</i>
Maximum Floor Area Ratio (FAR)	.5%	<i>1.49%*</i>
Parking Stalls	440 total 200 – retail/restaurant 240 enclosed (residential)	506 spaces total 201 retail 305 enclosed residential
Parking Stall Size	8.5' x 18'	8.5 x 18'
Drive Aisle Width	24 feet	24 feet

**** Variance would be required under POD-1 Zoning (See page A21a.)***

PRIMARY ISSUES/STAFF RECOMMENDATION

Primary Issues

- **Is the PUD Zoning District appropriate for the site?**

Yes. Staff believes that the PUD is appropriate for the site for the following reasons:

1. As highlighted above, the proposal meets the City's criteria for PUD zoning. In summary the PUD zoning would:
 - a. Provide a development that includes 20% (32 units) of the residential units as affordable housing. This project would help the City toward meeting its goal of creating 212 additional affordable housing units by the year 2020. Given the City of Edina's high cost of land, it has been difficult in achieving affordable housing. The increase in floor area ratio and density is required to make the development work.
 - b. Provide a mixture of use within the building with residential and retail.
 - c. Create a pedestrian friendly development with extensive pedestrian paths planned for the site. A new north/south sidewalk, separated from the street, would be created along France Avenue; and a new east/west sidewalk, separated from the street would be built along 72nd Street. (See page A21.) There would be additional sidewalks provided within the courtyard area that would connect residents to the retail uses on France. (See page A21.)
 - d. Podium Height would be used on both France Avenue and the west side of the development toward the low-density residential area.
 - e. The applicant is also proposing some sustainability principles within their project narrative. (See page A14.) The proposal includes high efficiency mechanical equipment, appliances and fixtures, high performing fiberglass and storefront window that meet Energy Star requirements. The applicant proposes a 20% improvement over current energy code requirements.
 - f. Ensure that the building proposed would be the only building built on the site, unless an amendment to the PUD is approved by City Council.
2. The proposed uses would fit in to the neighborhood. The proposed residential use with limited retail would fit this neighborhood. Mixed use is encouraged within the OR, Office Residential area.

3. The existing roadways would support the project. Wenck and Associates conducted a traffic impact study, and concluded that the proposed development could be supported by the existing roads subject to conditions.
4. Assuming the adoption of the proposed Comprehensive Plan Amendment, the proposed project would meet the following goals and policies of the Comprehensive Plan:
 - a. Building Placement and Design. Where appropriate, building facades should form a consistent street wall that helps to define the street and enhance the pedestrian environment.
 - b. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
 - A Pedestrian-Friendly Environment.
 - c. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
 - d. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
 - e. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
 - f. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
 - g. Incorporate principles of sustainability and energy conservation into all aspects of design, construction, renovation and long-term operation of new and existing development.
 - h. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings “step down” at boundaries with lower-density districts and upper stories “step back” from street.
 - i. Provide affordable housing.
 - J. Create podium height.

- **Are the proposed Comprehensive Plan Amendments reasonable to allow the proposed development?**

No. For the following reasons, staff believes the proposal development is too dense for this site:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site. Under the current POD-1 zoning classification; a floor area ratio of .5 is allowed. The proposed FAR is 1.49. When comparing the recent comprehensive plan amendment that was approved for the Lennar project at 6725 York Avenue; the amount of floor area ratio over and above the City Code and Comprehensive Plan requested here is far greater. For the Lennar project, the allowed FAR was 1.0 and the proposed FAR was 1.27.
2. The proposed density is nearly double allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed.
3. This area on the west side of France Avenue is seen as a transition area from the low density residential to the west and the higher intensity commercial area on the east side of France. (See page A5 and A10 of the Comprehensive Plan.) The Comprehensive Plan describes this area as a “transitional area along major thoroughfares or between higher-intensity districts and residential districts.” (See page A10.)
4. The proposal may set a precedent for similar development requests at this density. There are several properties within this OR area that have buildings in similar condition, that may be ripe for redevelopment. (See page A5.)
5. The Planning Commission is about to begin a study of the impact on greater development density in the Southdale area, with an emphasis on development in this OR, Office Residential area. Allowing a development within this area prior to completion of an impact study, may be premature.
6. While the applicant has made positive improvements to reduce the size of the development proposed at the sketch plan; staff does not believe they have reduced the size of the development enough to provide a development that is more consistent with the Comprehensive Plan.
7. Preliminary indications from Hennepin County is that they would not allow access to France Avenue.

Staff Recommendation

Comprehensive Plan Amendments

While the project does contain a number of components that are desired in the Comprehensive Plan, however, due to the size of the project, staff recommends that the Planning Commission recommend that the City Council deny the requests for Comprehensive Plan Amendments based on the following findings:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site.
2. The proposed density is nearly double allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed
3. This area on the west side of France Avenue is seen as a transition area from the low density residential to the west and the higher intensity commercial area on the east side of France. The Comprehensive Plan describes this area as a “transitional area along major thoroughfares or between higher-intensity districts and residential districts.” The proposed development is more for square footage than what would normally be allowed in the POD-1 Zoning District.
4. The proposal may set a precedent for similar development requests at this density. There are several properties within this OR, Office Residential area that have buildings in similar condition that may be ripe for redevelopment.
5. The proposed development is pre-mature given the Planning Commission’s plan to study of the impact on greater development density in the Southdale area, with an emphasis on the west side of France in this OR, Office Residential area.
6. While the applicant has made positive improvements to reduce the size of the development proposed at the sketch plan; staff does not believe they have reduced the size of the development enough to provide a development that is more consistent with the Comprehensive Plan.
7. The availability of access to France Avenue is questionable. If the County does not allow access, the plans may need to be revised.

Preliminary Rezoning to PUD & Preliminary Development Plan

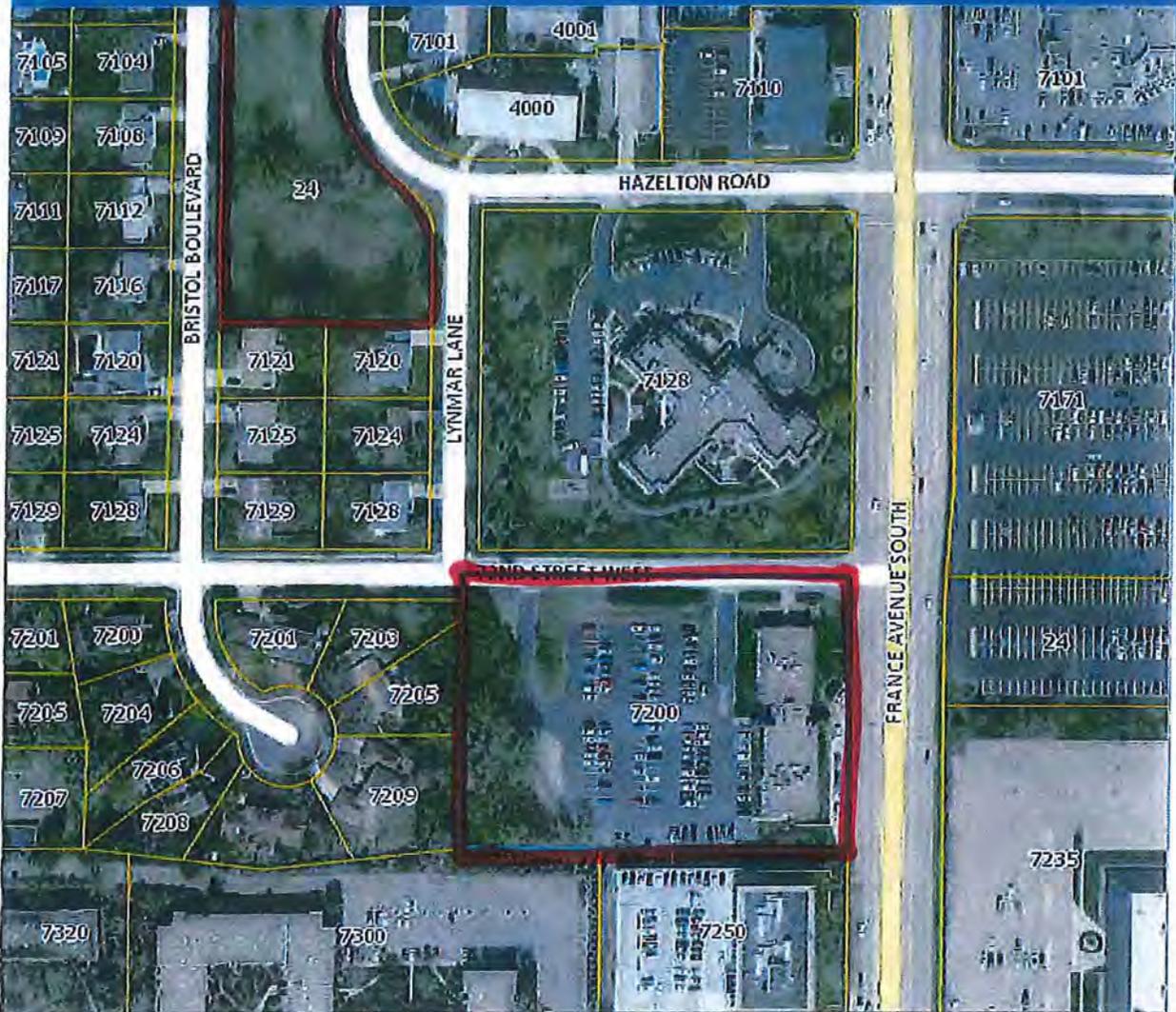
Because of the denial recommendation on the Comprehensive Plan amendments, staff recommends that the Planning Commission recommend the

City Council deny the Preliminary Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development District

Denial is subject to the following findings:

1. The proposed development would allow for a floor area ratio that would be nearly three times the floor area ratio currently allowed for this site.
2. The proposed density is nearly double allowed by the Comprehensive Plan. A maximum of 30 units per acre is allowed, and 50 are proposed
3. This area on the west side of France Avenue is seen as a transition area from the low density residential to the west and the higher intensity commercial area on the east side of France. The Comprehensive Plan describes this area as a "transitional area along major thoroughfares or between higher-intensity districts and residential districts." The proposed development is more for square footage than what would normally be allowed in the POD-1 Zoning District.
4. The proposal may set a precedent for similar development requests at this density. There are several properties within this OR, Office Residential area that have buildings in similar condition that may be ripe for redevelopment.
5. The proposed development is pre-mature given the Planning Commission's plan to study of the impact on greater development density in the Southdale area, with an emphasis on the west side of France in this OR, Office Residential area.
6. While the applicant has made positive improvements to reduce the size of the development proposed at the sketch plan; staff does not believe they have reduced the size of the development enough to provide a development that is more consistent with the Comprehensive Plan.
7. The availability of access to France Avenue is questionable. If the County does not allow access, the plans may need to be revised.

Deadline for a city decision: February 1, 2015



Parcel ID: 31-028-24-14-0001	A-T-B: Torrens	Map Scale: 1" = 200 ft. Print Date: 6/19/2014
Owner Name:	Market Total:	
Parcel Address: 7200 France Ave S Edina, MN 55435	Tax Total:	
Property Type:	Sale Price:	
Home-stand:	Sale Date:	This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.
Parcel Area: 3.51 acres 152,751 sq ft	Sale Code:	COPYRIGHT © HENNEPIN COUNTY 2014 

A2



4-0001

A-T-B: Torrens

Map Scale: 1" = 200 ft.

Print Date: 6/19/2014



Market
Total:

Tax
Total:

A2a

e Ave S
5435

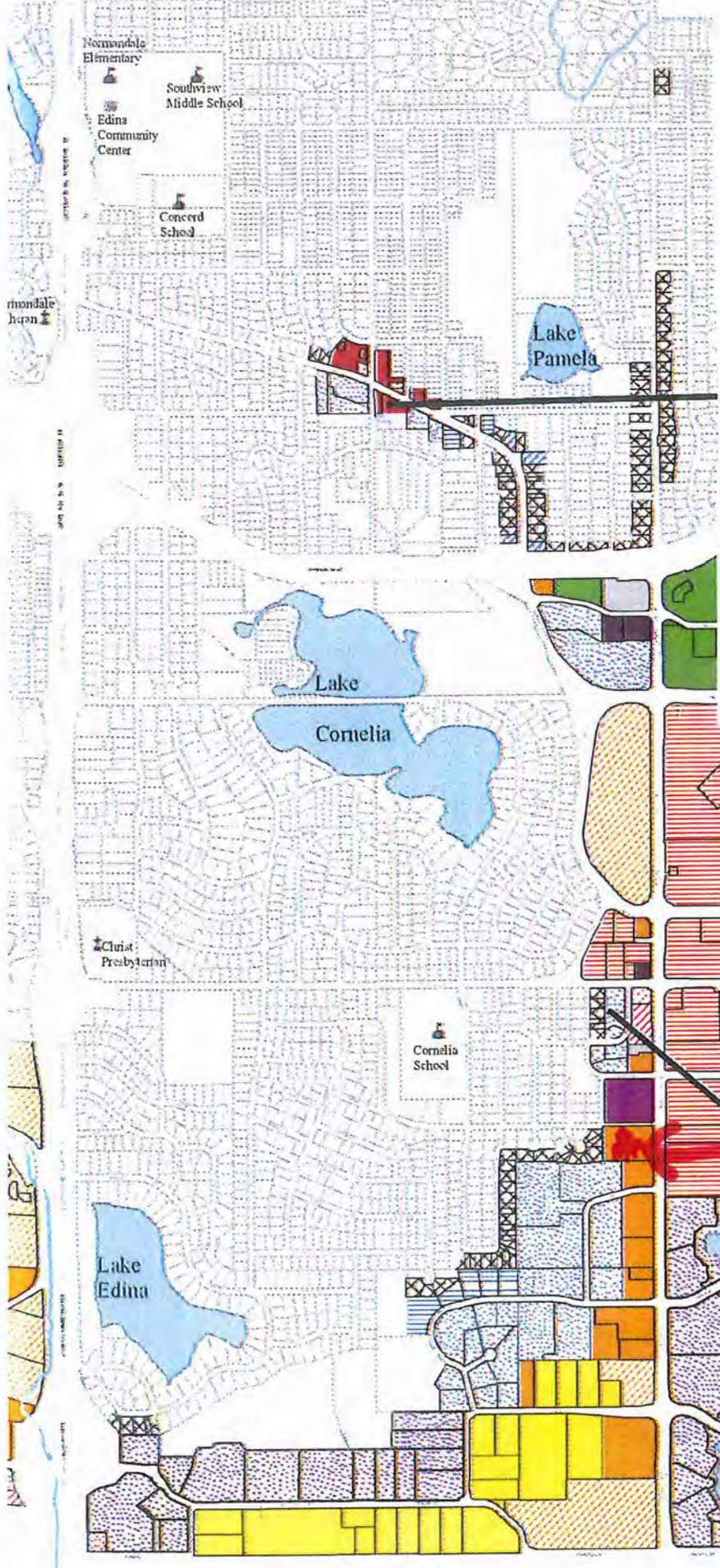
ZONING

Legend

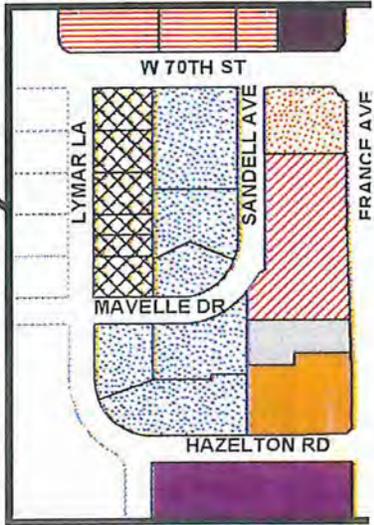
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	R-2 Double dwelling Unit Dist.		City Buildings
	PRD-1 Planned Residence Dist.		Private School
	PRD-2		Public School
	PRD-3		
	PRD-4		
	PRD-5		
	PCC-1 Planned Commercial Dist.		
	PCC-2		
	PCC-3		
	PCC-4		
	PDD-1 Planned Office Dist.		
	PDD-2		
	RMD Regional Medical Dist.		
	PID Planned Industrial Dist.		
	PUD Planned Unit Dist.		
	APD Automobile Parking Dist.		
	EHLD Edna Heritage Landmark Dist.		
	PSRC Planned Senior Citizen Dist.		
	MDO-4 Mixed Development Dist.		
	MDO-5		
	MDO-6		

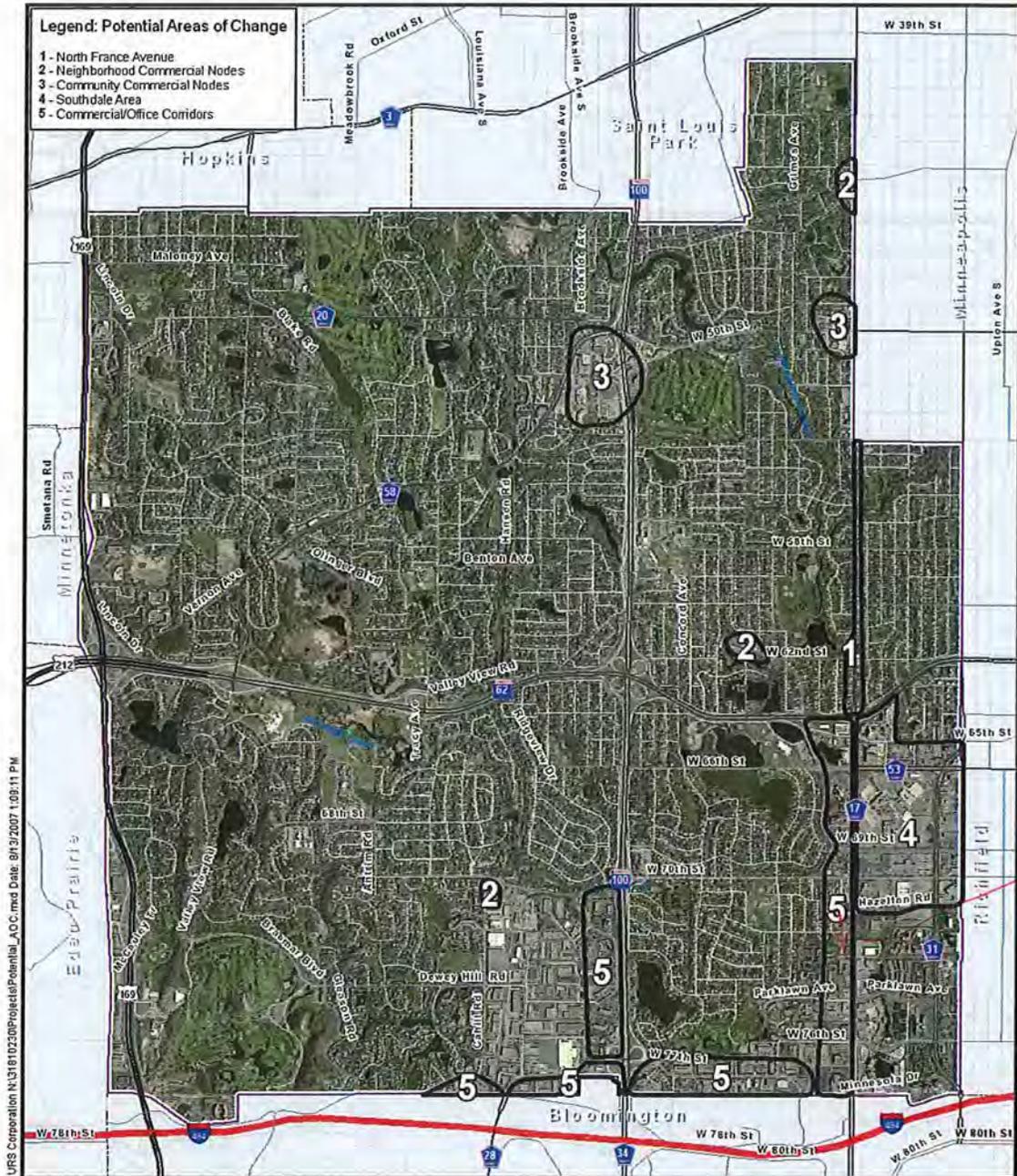


Planning Dept
November, 2012



70TH & FRANCE DE'





Site

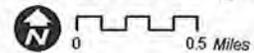
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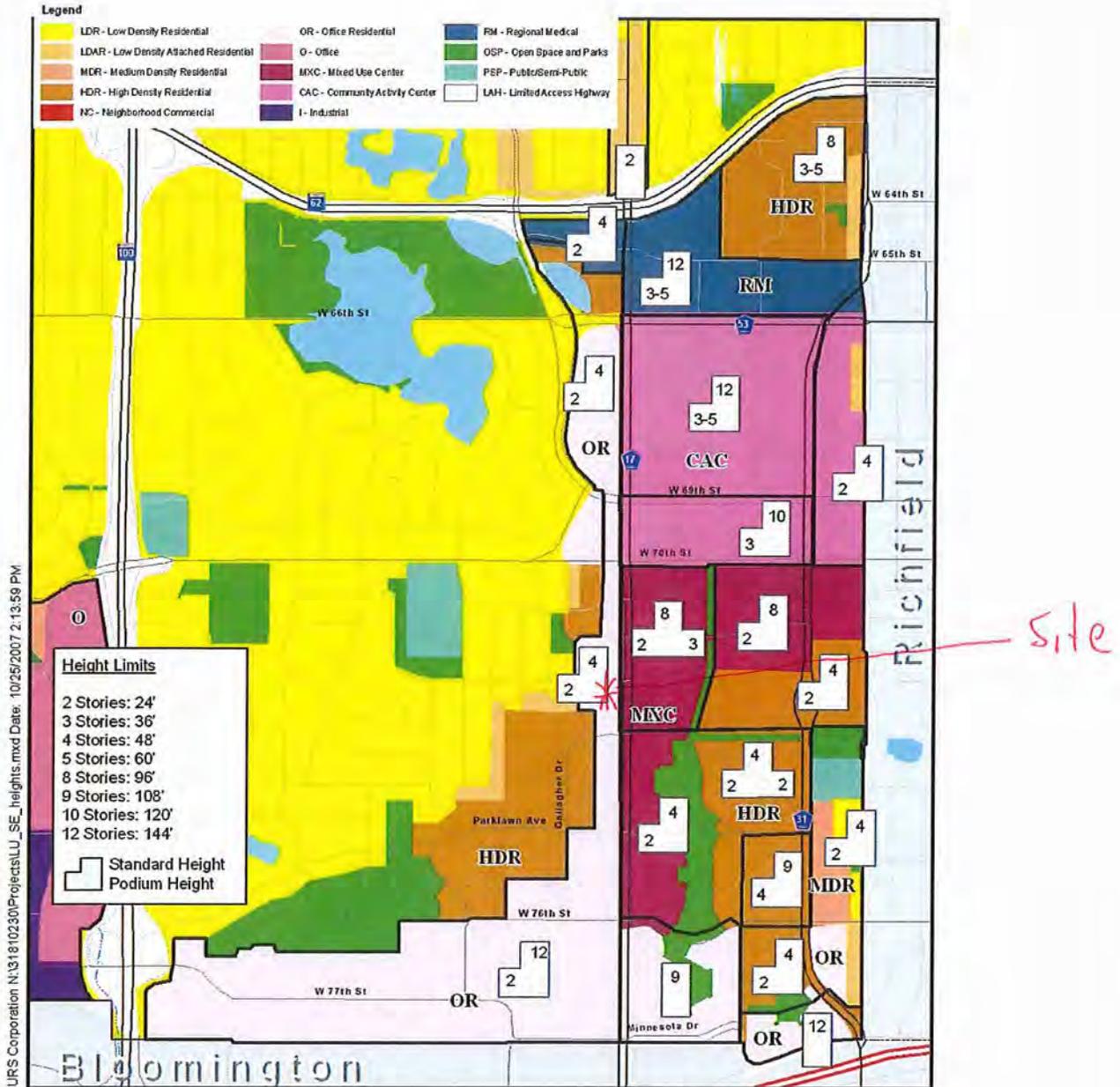
City of Edina
2008 Comprehensive Plan Update

Date of Aerial Photography: August 2006

**Conceptual Land Use Framework:
Potential Areas of Change**



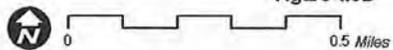
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City of Edina
2008 Comprehensive Plan Update

Data Source: URS

Future Land Use Plan with Building Heights
Southeast Quadrant
Figure 4.6B



A5

RESOLUTION NO. 2014-68
APPROVING COMPREHENSIVE PLAN AMENDMENTS
REGARDING RESIDENTIAL DENSITY FOR MIXED USE AREAS,
BUILDING HEIGHT, FLOOR AREA RATIO AND LAND USE

Section 1. BACKGROUND.

- 1.01 The Metropolitan Council has requested that the City of Edina establish new residential density ranges within the City's Comprehensive Plan to better align with the description of the uses allowed within each District. Floor area ratio alone cannot be used to determine densities within mixed use areas as suggested in the text of the Comprehensive Plan.
- 1.02 Lennar Corporation is proposing to tear down the existing retail building at 6725 York Avenue, and single family homes at 6712, 6708, 6704, 6700 and 6628 Xerxes Avenue, and build a six-story, 240 unit upscale apartment building with 11,000 square feet of retail on the first level. To accommodate the request, three amendments to the Comprehensive Plan were approved by the City Council:
1. Building Height - from 4 stories and 48 feet to 6 stories and 70 feet.
 2. Floor Area Ratio - to exceed 1.0 in some instances.
 3. Re-guiding the Land Use Plan for the five single-family homes on Xerxes from Low Density Residential to Community Activity Center.
- 1.03 On June 11, 2014, the Planning Commission recommended approval of the Comprehensive Plan Amendment. Vote: 7 Ayes and 0 Nays.

Section 2. FINDINGS

- 2.01 The Edina Comprehensive Plan is a guide for development and redevelopment in the city that establishes density ranges for the purposes of managing growth. Density in mixed use and planned commercial districts are primarily regulated by Floor Area Ratio within the existing Edina Zoning Ordinance.
- 2.02 Residential density ranges within the City's mixed use areas including CAC, Community Activity Center; MXC, Mixed Use Center; OR, Office Residential; and NC, Neighborhood Commercial District are between 1-2 and 2-3 units per acre, which are not feasible for the intended mixed-use character or opportunity in these areas. The City's LDR, Low Density Residential District allows up to 5 units per acre, which is a higher density than the above mixed use districts. The RM, Regional Medical District does not have a residential density range and senior housing is a permitted use.
- 2.03 By establishing new residential density ranges for these areas, the city would create the feasibility for mixed use projects. Changes to these residential density ranges would be accommodating growth that had already been anticipated and planned for in the City's future population projections.

- 2.04. The Comprehensive Plan recognizes the Southdale area and the CAC as the most intense district in terms of uses, height and coverage. The City allows a floor area ratio of up to 1.5 in other parts of the City, such as 50th France. The floor area ratio maximum in the CAC is 1.0. The suggested density of 2-3 units per acre would result in less density than the City's Low Density Residential area; which allows up to 5 units per acre, would not encourage a mixture of land uses. A density range of 12-75 units per acre in this area is reasonable given the description of this area is the city's most intense district in terms of uses, height and coverage. Floor area ratio would continue to impact densities based on the Zoning Ordinance regulations.
- 2.05. The OR, Office Residential District guides density at a range of 2-3 units per acre in the current Comprehensive Plan. An OR density of 12-30 units per acre would be consistent with High Density Residential District and reasonable to encourage mixed use development.
- 2.06. The MXC, Mixed Use Center district guides density at a range of 1-2 units per acre. These areas include 50th & France, Grandview and Centennial Lakes/Greater Southdale area. A Mixed Use Center density of 12-30 units would be consistent with High Density Residential district and reasonable to encourage mixed use development. This density range is consistent with existing densities in all three of these areas, including 50th and France Condos (23 units per acre) and 71 France in the Centennial Lakes area (24 units per acre), and Grandview Square (29 units per acre.)
- 2.07. The NC, Neighborhood Commercial District guides density at a range of 1-2 units per acre. A density of 5-12 units would be consistent with Medium Density Residential district and reasonable to encourage mixed use development.
- 2.08. The RM, Regional Medical District is an area that is proposed for senior housing, and does not have a specific range for density. A Comprehensive Plan amendment was approved for the senior housing project at 6500 France. Senior Housing creates a lesser impact on traffic; therefore, higher densities can be supported in this area. Density for senior housing shall also be based on proximity to hospitals, proximity to low density uses, utilities capacity, level of transit service available, and impact on adjacent roads. Other desired items to allow greater density would include: Below grade parking, provision of park or open space, affordable housing, sustainable design principles, and provision of public art. A density range of 12-80 units per acre is reasonable to encourage that use in the district.
- 2.09. Establishing higher residential density ranges within mixed use areas, align with other elements of the Comprehensive Plan, including growth that had been forecasted by the Metropolitan Council.
- 2.10. The proposed densities using unit per acre are consistent with the existing descriptions of each land use category in the Comprehensive Plan; are consistent with existing development in Edina; and are consistent with the existing Edina Zoning Ordinance.
- 2.11. There is adequate roadway capacity and sewer capacity to support the proposed residential density ranges proposed in these mixed use areas.

Existing language xxxx

Language recommended **xxxx**

Language stricken ~~xxxx~~

A7

- 2.12. The proposed land use change of the single family homes on Xerxes Avenue are consistent with existing and proposed land uses in this area. The City of Richfield has guided the single family homes on the east side of Xerxes as medium density residential, and the property to the north west and south in Edina are guided CAC, Community Activity Center; therefore, the long term vision of both Edina and Richfield in this area is for higher densities.
- 2.13. Podium height is proposed on both Xerxes and York as recommended in the Comprehensive Plan. The six story portion of the building is stepped back into the site to minimize impact on adjacent property.
- 2.14. The Comprehensive Plan recognizes the Southdale area and the CAC as the most intense district in terms of uses, height and coverage. The City allows a floor area ratio of up to 1.5 in other parts of the City, such as 50th France; therefore, the floor area ratio of the proposed use at 1.27, which is predominantly residential, is appropriate for the area.
- 2.15. The traffic and parking study done by WSB concludes that the existing roadways can support the proposed project, and there would be adequate parking provided.

NOW THEREFORE, be it resolved by City Council of the City of Edina, Minnesota as follows:

3.01 Resolution 2014-51 is rescinded.

3.02 The following Comprehensive Plan Amendments are approved subject to review by the Metropolitan Council pursuant to Minnesota Statutes §473.864:

A. Future Land Use Categories. The categories in the table below apply to the Future Land Use Plan. It is important to note that land use categories are not zoning districts - they are broader and more long-term in scope. The land use plan and the zoning ordinance should be consistent with one another, but are not identical. Each land use category may be implemented through more than one zoning district, allowing for important differences in building height, bulk and coverage in different areas of the city. Some revisions to existing zoning districts or creation of new districts may ultimately be needed as part of the implementation of the land use plan.

Land uses are characterized primarily by range of densities or intensities. For residential uses, density is defined in terms of dwelling units per net acre (exclusive of road rights-of-way and public lands). For nonresidential and mixed uses, intensity is typically defined in terms of floor-to-area ratio, or FAR, which refers to the ratio of a building's floor area to the size of its lot. **A density unit per acre range is listed below, however, in practice FAR limits the density in the Edina Zoning Ordinance based on site size.** Thus, a maximum FAR of 1.0 could allow for a two-story building covering 50% of the lot; a 3-story building on one-third of the lot, and so on. Building heights are not specified in the table, because height will vary within and between categories, based on neighborhood context, infrastructure, and community design goals. (See the discussion later in this section.)

Existing language xxxx
Language recommended **xxxx**
Language stricken ~~xxxx~~

48

The “Development Guidelines” in the table below are intended to highlight important design considerations for each land use category, but are not regulatory in nature. **When residential development is proposed in a mixed use district, the residential density range shall apply, in addition to the FAR requirement. Residential development is not required in mixed use areas.**

Residential Categories	Description, Land Uses	Development Guidelines	Density Range
LDR Low Density Residential	Applies to largely single-family residential neighborhoods, encompassing a variety of lot sizes and street patterns (see “Character Districts” for more detail). Typically includes small institutional uses such as schools, churches, neighborhood parks, etc.	Massing standards (under development) and impervious coverage limitations would apply to ensure compatibility of infill construction.	1 - 5 units/acre Floor to Area Ratio: per current Zoning Code*
LDA Low-Density Attached Residential	Applies to two-family and attached dwellings of low densities and moderate heights. This category recognizes the historical role of these housing types as transitional districts between single-family residential areas and major thoroughfares or commercial districts. May include single-family detached dwellings.	Introduction of more contemporary housing types, such as low-density townhouses, may be an appropriate replacement for two-family dwellings in some locations, provided that adequate transitions to and buffering of adjacent dwellings can be achieved.	4 - 8 units/acre Floor to Area Ratio: per current Zoning Code*
MDR Medium-Density Residential	Applies to attached housing (townhouses, quads, etc.) and multi-family complexes of moderate density. May also include small institutional uses, parks and open space	In new development or redevelopment, improve integration of multi-family housing into an interconnected street network and work to create an attractive, pedestrian-friendly street edge.	5 - 12 units/acre Floor to Area Ratio: per current Zoning Code*
HDR High-Density Residential	Existing “high-rise” and other concentrated multi-family residential, some of which may contain a mixed use component. May also include limited office, service or institutional uses primarily to serve residents’ needs, parks and open space	Provide incentives for updating older multifamily buildings. Work to create an attractive, pedestrian-friendly street edge and provide convenient access to transit, schools, parks, and other community	12 - 30 units/acre Density for senior housing may be increased to over 30 units per acre, based on proximity to hospitals, proximity to low density uses, utilities capacity, level of transit service available, and impact on adjacent roads. Other desired items to allow

Existing language xxxx

Language recommended **xxxx**

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		destinations.	greater density for senior housing would include: Below grade parking, provision of park or open space, affordable housing, sustainable design principles, and provision of public art. Floor to Area Ratio; per current Zoning Code*
Nonresidential and Mixed Use Categories	Description, Land Uses	Development Guidelines	Density Guidelines
<p>NC Neighborhood Commercial Current examples:</p> <ul style="list-style-type: none"> • Morningside commercial core • Valley View and Wooddale • 70th & Cahill 	<p>Small- to moderate-scale commercial, serving primarily the adjacent neighborhood(s). Generally a 'node' rather than a 'corridor.' Primary uses are retail and services, offices, studios, institutional uses. Residential uses permitted.</p> <p>Existing and potential neighborhood commercial districts are identified for further study.</p>	<p>Building footprints generally less than 20,000 sq. ft. (or less for individual storefronts). Parking is less prominent than pedestrian features.</p> <p>Encourage structured parking and open space linkages where feasible; emphasize enhancement of the pedestrian environment.</p>	<p>2-3 5-12 residential dwelling units/acre Floor to Area Ratio-Per current Zoning Code: maximum of 1.0*</p>
<p>OR Office-Residential No current examples in City. Potential examples include Pentagon Park area and other I-494 corridor locations</p>	<p>Transitional areas along major thoroughfares or between higher-intensity districts and residential districts. Many existing highway-oriented commercial areas are anticipated to transition to this more mixed-use character.</p> <p>Primary uses are offices, attached or multifamily housing.</p> <p>Secondary uses: Limited retail and service uses (not including "big box" retail), limited industrial (fully enclosed), institutional uses, parks and open space. Vertical mixed use should be encouraged, and may be required on larger sites.</p>	<p>Upgrade existing streetscape and building appearance, improve pedestrian and transit environment.</p> <p>Encourage structured parking and open space linkages where feasible; emphasize the enhancement of the pedestrian environment.</p>	<p>2-3 12-30 residential dwelling units/acre Floor to Area Ratio-Per current Zoning Code: maximum of 0.5 to 1.0*</p>
<p>O Office Current examples include the office</p>	<p>This designation allows for professional and business offices, generally where retail services do not occur within the development</p>	<p>Provide buffer/transition to adjacent residential uses. Use high quality</p>	<p>Floor to Area Ratio - Per Zoning Code: Maximum of 0.5</p>



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<p>buildings on the west side of TH 100 between 70th and 77th Streets.</p>	<p>unless they are accessory uses that serve the needs of office building tenants. Vehicle access requirements for office uses are high; however, traffic generation from office buildings is limited to morning and evening peak hours during weekdays. Office uses should be located generally along arterial and collector streets.</p>	<p>permanent building materials and on-site landscaping. Encourage structured parking.</p>	
<p>Nonresidential and Mixed Use Categories</p>	<p>Description, Land Uses</p>	<p>Development Guidelines</p>	<p>Density Guidelines</p>
<p>MXC Mixed-Use Center Current examples: <ul style="list-style-type: none"> • 50th and France • Grandview </p>	<p>Established or emerging mixed use districts serving areas larger than one neighborhood (and beyond city boundaries). Primary uses: Retail, office, service, multifamily residential, institutional uses, parks and open space. Vertical mixed use should be encouraged, and may be required on larger sites.</p>	<p>Maintain existing, or create new, pedestrian and streetscape amenities; encourage or require structured parking. Buildings “step down” in height from intersections. 4 stories at 50th & France; 3-6 stories at Grandview</p>	<p>1–2 12-30 residential dwelling units/acre Floor to Area Ratio-Per current Zoning Code: maximum of 1.5</p>
<p>CAC Community Activity Center Example: Greater Southdale area (not including large multi-family residential neighborhoods such as Centennial Lakes)</p>	<p>The most intense district in terms of uses, height and coverage. Primary uses: Retail, office, lodging, entertainment and residential uses, combined or in separate buildings. Secondary uses: Institutional, recreational uses. Mixed use should be encouraged, and may be required on larger sites.</p>	<p>Form-based design standards for building placement, massing and street-level treatment. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings “step down” at boundaries with lower-density districts and upper stories “step back” from street. More stringent design standards for buildings > 5 stories. Emphasize pedestrian circulation; re-introduce finer-grained circulation patterns where feasible.</p>	<p>2–3 12-75 residential dwelling units/acre Floor to Area Ratio-Per current Zoning Code: maximum of 0.5 to 1.0* Floor to Area Ratio may exceed 1.0 on a case by case basis, subject to proximity to utilities capacity, level of transit service available, and impact on adjacent roads. Other desired items to allow greater density or density on the high end of the residential housing range above, would include: Below grade parking, provision of park or open space, affordable housing, sustainable design principles, provision of public art, pedestrian circulation, and podium height.</p>

Existing language xxxx
 Language recommended **xxxx**
 Language stricken ~~xxxx~~

ALL

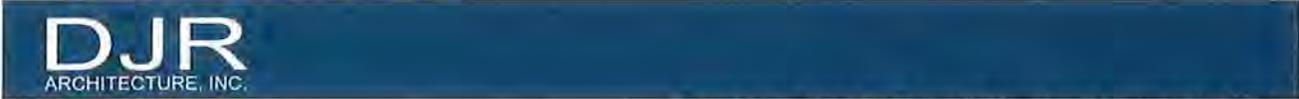
<p>I Industrial</p>	<p>Applies to existing predominantly industrial areas within the City. Primary uses: industrial, manufacturing. Secondary uses: limited retail and service uses.</p>	<p>Performance standards to ensure compatibility with adjacent uses; screening of outdoor activities.</p>	<p>Floor to Area Ratio: Per Zoning Code: 0.5*</p>
<p>Nonresidential and Mixed Use Categories</p>	<p>Description, Land Uses</p>	<p>Development Guidelines</p>	<p>Density Guidelines</p>
<p>RM Regional Medical</p>	<p>Hospitals, senior housing*, medical and dental offices and clinics, and laboratories for performing medical or dental research, diagnostic testing, analytical or clinical work, having a direct relationship to the providing of health services. General office uses are permitted.</p> <p>* Senior housing may include: independent living, assisted living, memory care, and skilled nursing.</p>	<p>Form-based design standards for building placement, massing and street-level treatment. Pedestrian circulation and open space amenities should be provided for larger sites.</p>	<p>12-80 senior residential dwelling units/acre Floor to Area Ratio - Per current Zoning Code: maximum of 1.0 For medical office uses.</p> <p>Density for senior housing shall be based on proximity to hospitals, proximity to low density uses, utilities capacity, level of transit service available, and impact on adjacent roads. Other desired items to allow greater density would include: Below grade parking, provision of park or open space, affordable housing, sustainable design principles, and provision of public art.</p>
<p>OSP Open Space and Parks</p>	<p>Applies to major parks and protected open space that is publicly owned. May not include all small parks, since some are included in residential land use districts.</p>	<p>Performance and buffering standards for intensive outdoor recreation, parking.</p>	<p>N/A</p>
<p>PSP Public/Semi-Public</p>	<p>Applies to schools, large institutional uses (churches, cemeteries) and semi-public uses such as country clubs. Some small uses of these types may be integrated into other land use districts.</p>	<p>Performance and buffering standards for intensive outdoor recreation, parking.</p>	<p>To be determined - may require review of large-scale development or institutional expansion</p>

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Existing language xxxx

Language recommended **xxxx**

Language stricken ~~xxxx~~



333 Washington Avenue North, Suite 210, Union Plaza, Minneapolis, MN 55401
T: 612.676.2700 F: 612.676.2796 www.djr-inc.com

October 10, 2014

Cary Teague, Planning Director
Planning Department
Edina City Hall
4801 W. 50th St.
Edina, MN 55424

Project: **Element - Mixed-Use Redevelopment**

Location: **7200 France Avenue South**

Subject: **Project Narrative**

Proposed Redevelopment:

The proposed project is a new 5 story mixed use project redevelopment of the site at 7200 France Avenue South. The proposal is to replace the existing office building and construct a mixed-use development of approximately 207,000 SF with site improvements. The proposed project includes approximately 160 residential units, 20,000 SF of restaurant/retail/office space and approximately 500 parking spaces in two levels of underground parking.

Summary of Modifications from Sketch Plan Review:

- Reduced building height from 6 stories to 5 stories and reduced townhomes on the west side from 4 stories to 3 stories.
- Reduced Unit count from 195 units to 160 units
- Increased the podium setback on France Avenue by 10 feet
- Increased landscaping and setback along France Avenue and introduced green boulevard on 72nd Street,
- Increased setback on western boundary from 60 feet to 75 feet.
- Reduced FAR from 1.88 to 1.49.
- Reduced Commercial space from 26,500 to 20,000 SF

City and Neighborhood Betterment:

The proposed redevelopment of this parcel from office to residential and retail uses will benefit the city and area surrounding the project in the following ways:

- Provide housing in close proximity to commercial services and office sectors (80%/20% split of market rate to affordable housing)
- Provide convenient retail/commercial uses for the area.
- Locates both residential and commercial parking within the building creating a better visual environment unlike the vast majority of commercial projects along France Avenue.
- Improve the site with more vibrant uses and an attractive building
- Create a greener and more environmentally friendly development improving storm water rates through retained green space, green roofs and rain gardens.
- Alternative energy options including photovoltaics are being pursued to lower the projects carbon footprint.
- Sustainable design strategies will be incorporated into the project such as efficient lighting, mechanical systems, and rainwater harvesting for irrigation.

7200 France Avenue South – Preliminary Development Narrative

- Detailed and landscaped plaza courtyard beautifies the 72nd Street.
- Provides small scale neighborhood serving retail and office uses
- Adds new businesses to the Edina.

Sustainability

Sustainability is a key component of the project, both in the importance of being a good steward of the environment as well as being a good neighbor. The key sustainable strategies of the project can be categorized in the following design elements:

Storm water:

The current site has an impervious coverage of 56% without any comprehensive storm water strategies except the catchment basin on the west side and a couple of inlets on the south side which do not provide any rate or quality control for storm water. The proposed project incorporates the following improvements to the existing condition.

- 1) The project preserves the 60 foot buffer of native vegetation on the west side of the site including an existing storm water catchment area and lift station which will naturally enable storm water collection and filtration.
- 2) The heavily landscaped courtyard area over the parking decks will hold and clean the majority of rainfall in that area much like the natural buffer to the west. Soil depths of 12-30 inches of soil allow the absorption and holding of run-off in this area irrigating the native selections of vegetation and keeping the rainwater out of the storm system.
- 3) South side of the parking structure is also covered with green roofing providing retention and the potential for resident gardens.
- 4) New storm water infiltration tanks will be located on the west side of the building capturing excess storm water not used for irrigation or captured by the landscaped areas of the courtyard.
- 5) The proposed site reduces impervious surface to 48% of the site; an improvement of 11,000 SF.

Energy Efficiency & Generation:

- 1) High efficiency mechanical equipment
- 2) High efficiency appliances and electrical fixtures
- 3) Roof mounted photovoltaic panels for electrical energy generation
- 4) High performing fiberglass and storefront windows that meet Energy Star requirements
- 5) Improved insulation & advanced detail techniques equating to a 20% improvement over current energy code requirements

Water Efficiency:

- 1) Rainwater for irrigation
- 2) Drip irrigation w/drought tolerant planting to additionally reduce watering
- 3) Low flow plumbing fixtures and appliances – this decreases water use and waste water

PUD / Zoning:

The project proposes to change the zoning of the site from POD-1 to a PUD using the MDD-6 as a basis for the zoning entitlements. The application for a PUD is based largely around a desire to develop a more pedestrian friendly development, a mixture of uses and a greater density for the site. The proposed building will enclose the majority of parking below grade and maintain a 75'-0" setback and existing vegetative buffer from the residential neighborhood to the west. In addition, the site is designed to keep the higher height and density toward France Avenue with the lowest height toward the residential neighborhood.

The effective site size is 3.18 acres (138,650 SF). The proposed development not including garage space is 206,900 GSF for a proposed FAR of 1.49. The overall density of the site is largely mitigated by the stepping down of the height from France Avenue to the west toward the single family housing. The landscaped courtyard in the center off of 72nd street also scales the building to the neighborhood and provides a welcoming entry to residential visitors and the neighborhood.

Comprehensive Plan / Greater Southdale Area Land Use and Parking Final Report

The current comprehensive plan has recommended office and high density residential uses for this site area and neighborhood from 69th street south to Parklawn (Edge West District) in the Greater Southdale Area Land Use report. In addition, the site is within the Southdale area of mixed-use region around the mall in the character defining areas in the Comprehensive Plan and a "Potential Area of Change". The proposed project is in keeping with that mixture of uses as its scale transitions from the higher density toward France Avenue while tapering down toward the residential neighborhood behind. The distribution of uses follows this form by keeping the commercial uses and traffic on France Avenue as well.

Traffic:

Housing at this location will be able to take full advantage of the recent pedestrian and bike improvements completed by the city. The range of goods and services within an easy ½ mile radius of the site offers a built in amenity to residents. Their proximity also lessens the demands for vehicle trips decreasing the car traffic to and from the site.

The project's site improvements along France Avenue offer an amenity for pedestrians and bicyclists by creating a protected walkway away from France Avenue vehicular traffic and lined with landscaping and other pedestrian improvements. The introduction of a sidewalk on the south side of 72nd street also reinforces this pedestrian connection, coupled with the new median at 72nd street will create a completely different pedestrian environment in the immediate area.

Residential and commercial vehicular traffic at the site is split between two entries to the underground garages. Commercial traffic will enter via a right in / right out access to the upper garage level. Residential resident and guest parking will enter from 72nd street to the courtyard garage entry. On grade convenience parking for guests and move-ins are located in the courtyard. This approach greatly reduces traffic in the South Cornelia Neighborhood to the west and keeps all commercial traffic at France Avenue.

Affordable Housing:

As part of a commitment to provide affordable housing to all people in the community, the project is proposing 32 units for residents who meet certain income thresholds. This type of housing is targeted to working adults or small families who earn less than the median income of the community. They provide an opportunity for young people starting their careers, teachers and service workers a chance to stay in the community they work. The site is uniquely situated where residents can easily access the commercial shops and services of the Southdale area without requiring the use of a car.

Landscape

The proposed landscape at Element will be clean and contemporary, with over-story boulevard trees on the north and east sides along 72nd Street and France Avenue, with upright planters near building entrances with seasonal annuals for color. The parking area will contain a mixture of over story and under-story trees with a full accompaniment of shrubs and perennial plants. The proposed planting palette is comprised of native and adapted plant materials, which will use less water and require less maintenance over time.

To the west, the existing storm pond and existing wooded area will be left as-is, providing a natural buffer and giving residents both a sense of scale and allowing for a natural privacy screen along the entire west façade. The southern façade will feature a terraced green roof, with limited access and the opportunity for community farming in raised planters, irrigated utilizing site-harvested rain water.

7200 France Avenue South – Preliminary Development Narrative

We believe the redevelopment of this site would be an improvement for the city and one that will enhance not only the character of the area, but also the city itself.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sheldon Berg', with a long horizontal flourish extending to the right.

Sheldon Berg, AIA
Principal

Cc: Adam Seraphine, NHH Properties
Lori Boisclair, Boisclair Corporation

P:\djr-arch\2014\114-0015.0 - Boisclair - 72nd & France Mixed Use\Word\Design\Zoning & Planning\Preliminary Applications and docs\7200 France Ave - Narrative.doc

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EXISTING VIEW

PROPOSED VIEW DOWN W. 72ND STREET

NHH PROPERTIES

DESIGN : BUILD : MANAGE

DJR
ARCHITECTURE INC.

 **BOISCLAIR**
CORPORATION



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NHH PROPERTIES

DESIGN : BUILD : MANAGE

DJR
ARCHITECTURE INC.

BOISCLAIR
CORPORATION

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NHH PROPERTIES

DESIGN : BUILD : MANAGE

DJR
ARCHITECTURE INC.

 **BOISCLAIR**
CORPORATION

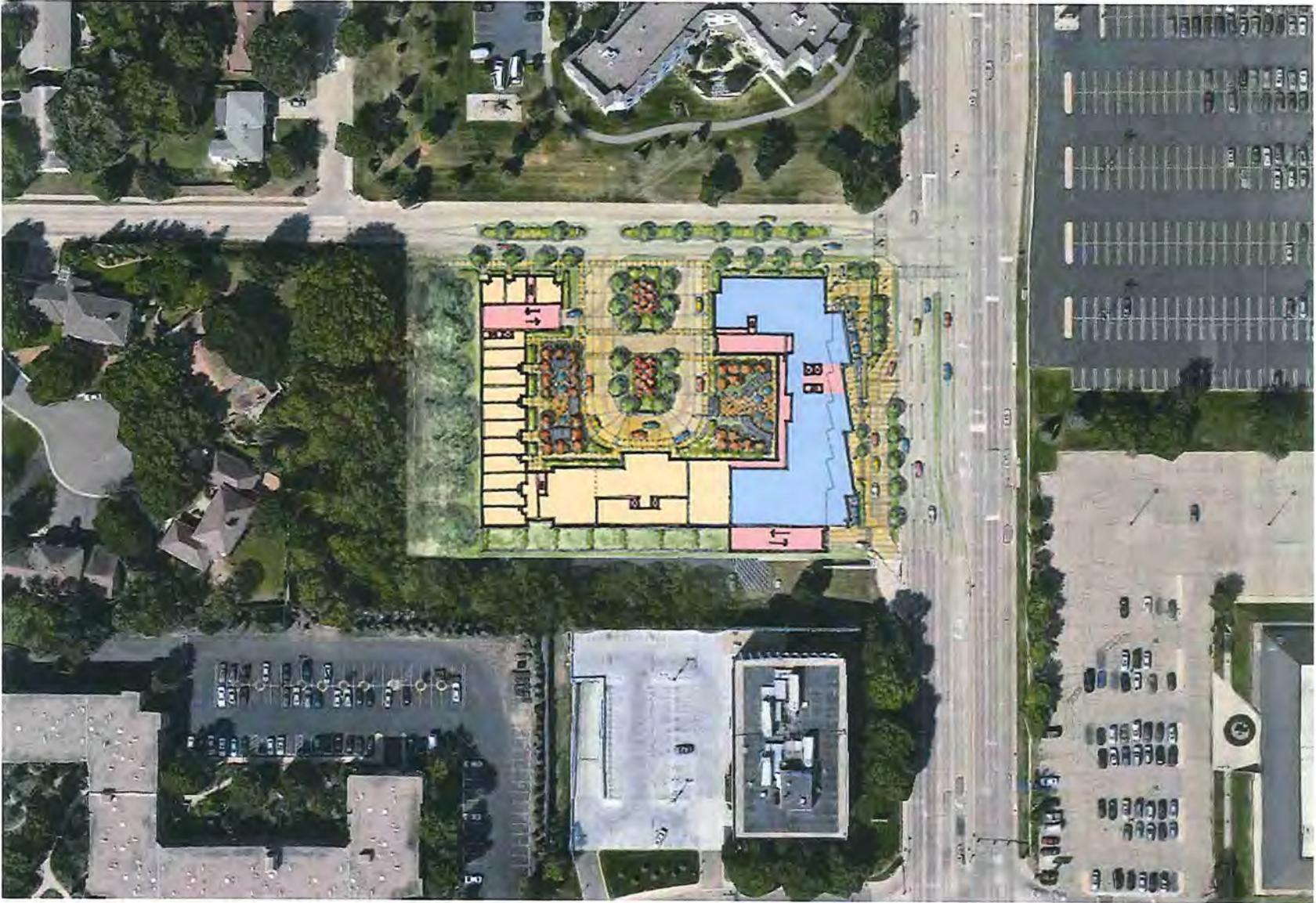
SITE SPECIFICATIONS

AREA 138,650 SF
ACRES 3.18

BUILDING SIZE 206,952 SF
F.A.R. 1.49

DWELLING UNITS/ACRE = 50

A 20

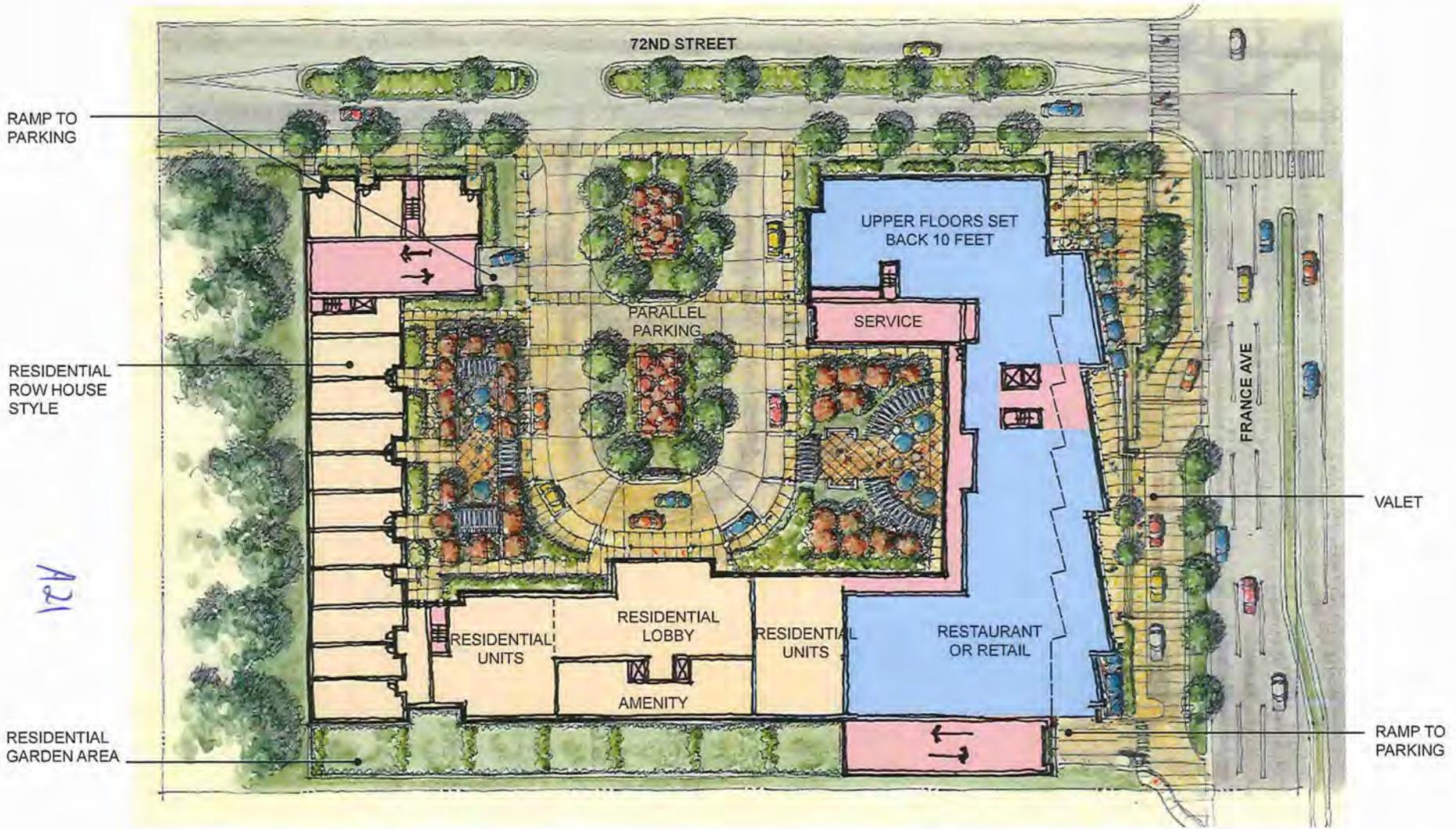


NHH PROPERTIES

DESIGN : BUILD : MANAGE

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ARCHITECTURE INC.

BOISCLAIR
CORPORATION

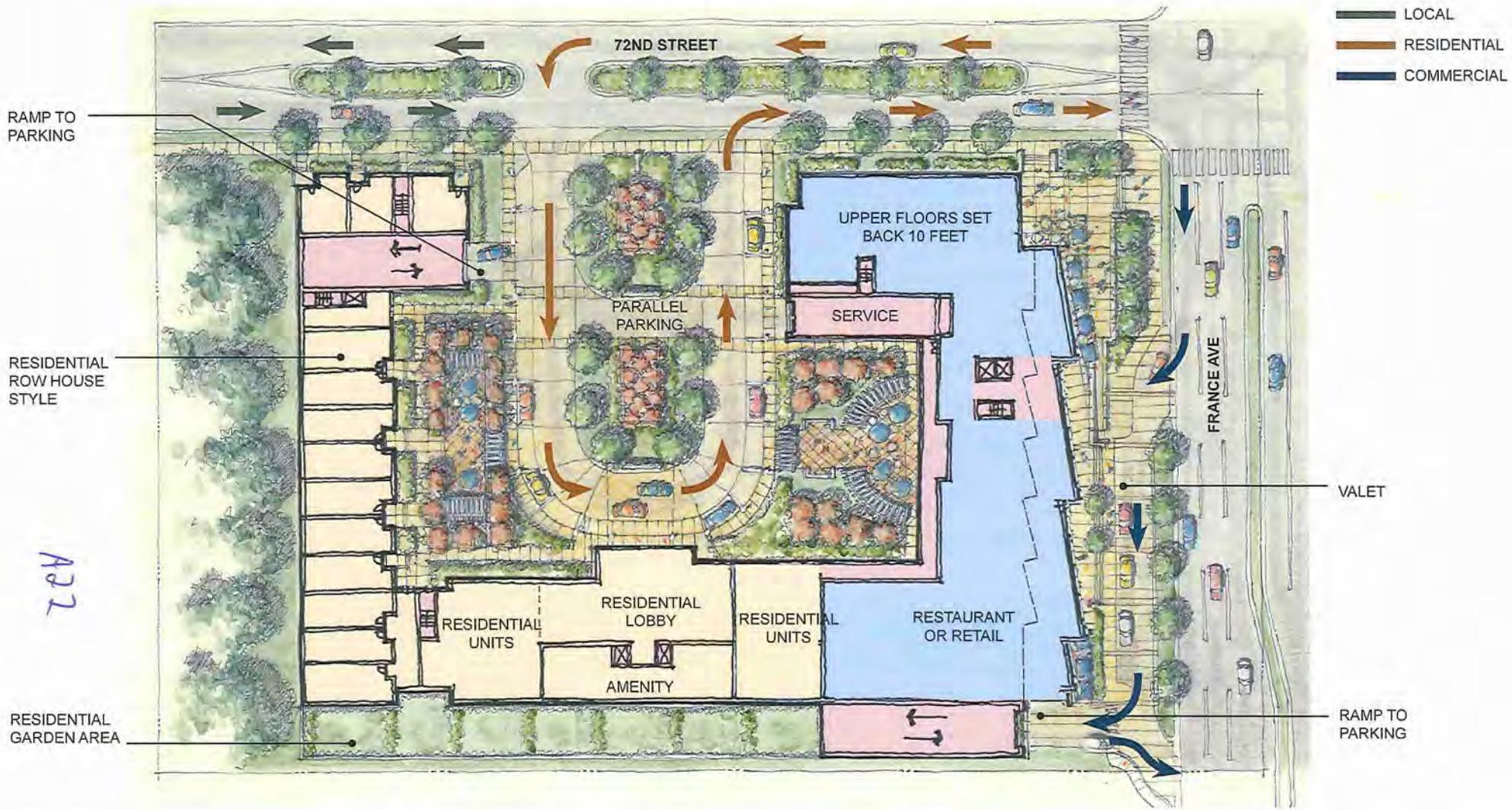


NHH PROPERTIES

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ARCHITECTURE INC.

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NHH PROPERTIES

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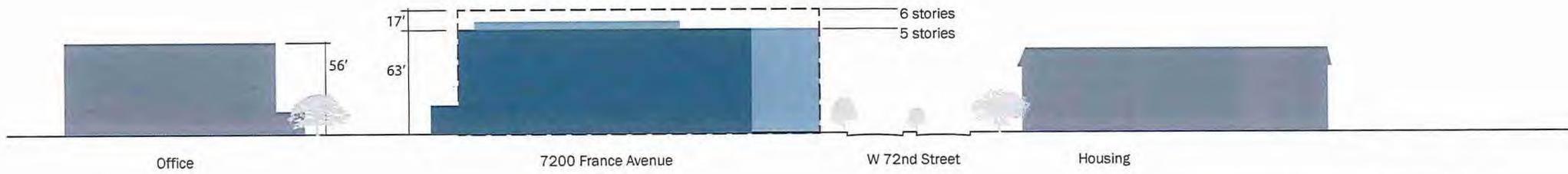
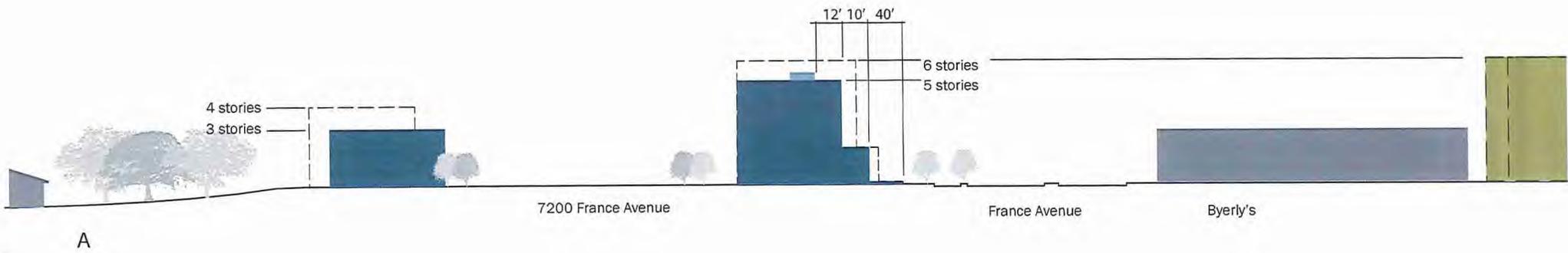


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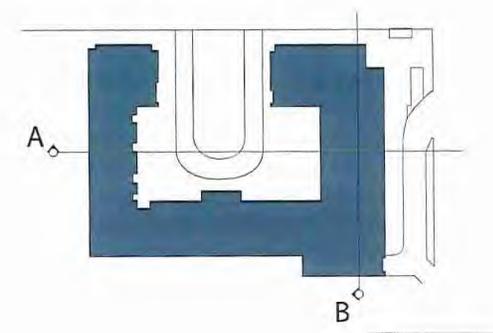
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DJR
ARCHITECTURE INC.

 **BOISCLAIR**
CORPORATION



A27



ALTA/ACSM LAND TITLE SURVEY

PROPERTY ADDRESS: #7200 FRANCE AVE. SO., EDINA, MN 55435

~for~ #7200 France LLC & Anchor Bank, N.A. & Commercial Partners Title, LLC, Old Republic National Title Insurance Company & NHH Companies L.L.C.

GENERAL NOTES

- Bearings shown herein are an assumed datum.
- Boundary area of surveyed premises: 128,0034 sq. ft. (2.926 acres)
- The surveyed premises has access to 72nd St. West & France Avenue South, both publicly dedicated right-of-ways.
- Utilities shown herein are as observed. Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown herein and underground utilities and/or structures may be encountered. Contact Cooper State One Call Notification Center at (507) 454-0002 for verification of utility lines and field location prior to excavation.
- Subsurface and environmental conditions were not analyzed or considered during the process of this survey to determine if such conditions exist or are likely to exist that may affect the use or development of the surveyed property.
- There is no observable evidence of building construction or building additions within recent months. There is no observable evidence of site use as a solid waste dump, septic or sanitary landfill. There is no observable evidence of recent street or sidewalk repairs within recent months.
- Bearings shown are an assumed datum.

P.I.D.#31-028-24-14-0001

BENCHMARK
 BASIS FOR ELEVATIONS NAVD 83 VIA REAL TIME GPS MEASUREMENTS UTILIZING MINNESOTA DEPARTMENT OF TRANSPORTATION VRS NETWORK

GRAPHIC SCALE



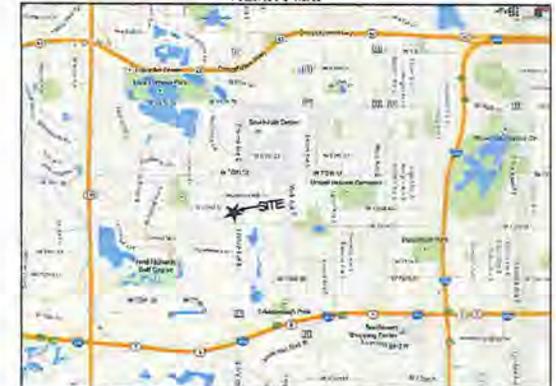
LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES SANITARY SEWER MANHOLE
- DENOTES STORM SEWER MANHOLE
- DENOTES CATCH BASIN
- ⊕ DENOTES FIRE HYDRANT
- ⊕ DENOTES STORM SEWER
- ▭ DENOTES CONCRETE
- ▭ DENOTES BITUMINOUS
- DENOTES GAS METER/BOX
- DENOTES UTILITY BOX
- DENOTES EXISTING FENCE
- DENOTES EXISTING FENCE

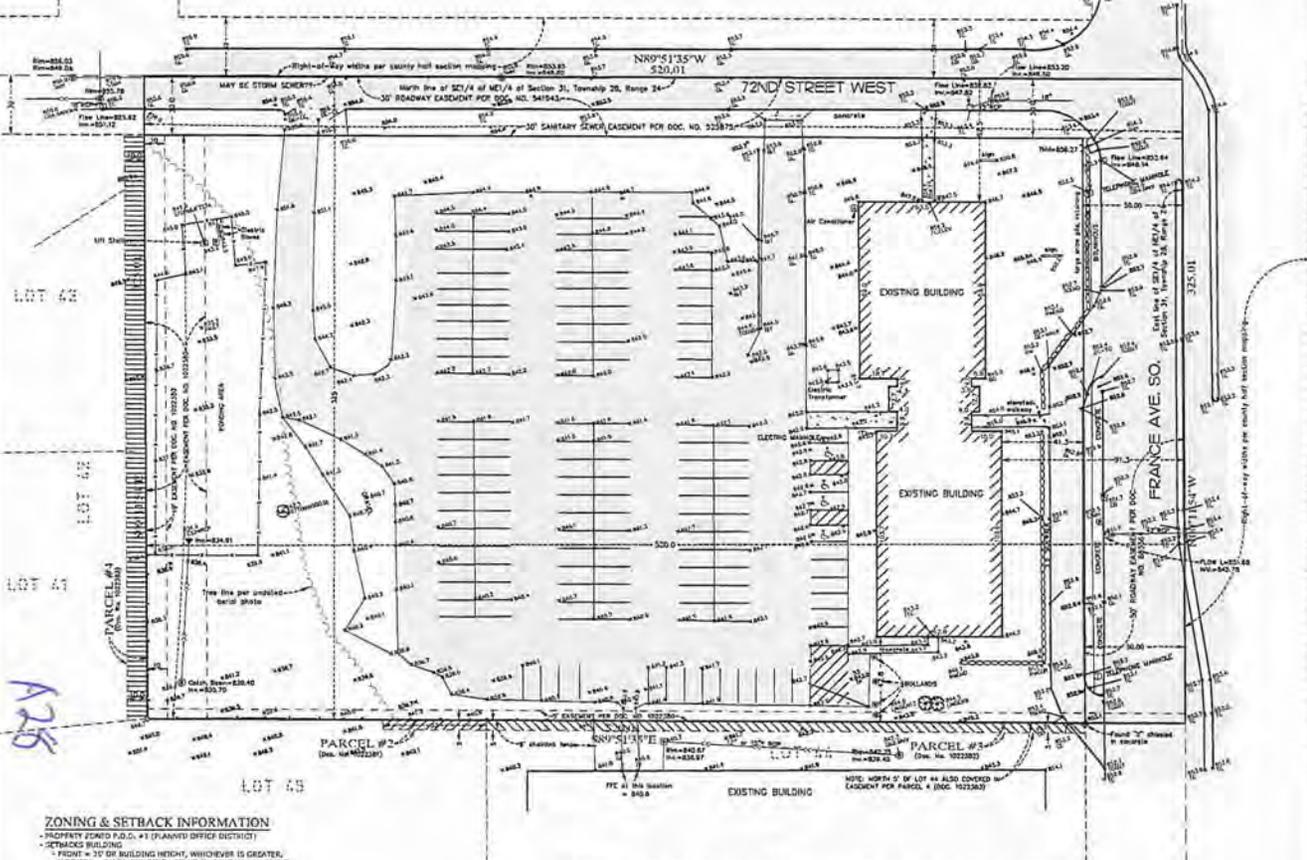
PROPERTY DESCRIPTION

Parcel 1:
 The East 1045 feet of the South half of the Northeast Quarter of Section 31, Township 28, Range 24, according to the Government Survey thereof, located in the County of Hennepin, State of Minnesota, and more particularly described as follows:
 Hennepin County, Minnesota.
 Town of Edina.
 Parcel 1.
 Parcel 2:
 Together with the benefit of easements for flowage, drainage and storage of surface waters contained in that certain Easement dated January 28, 1972, filed February 6, 1972, as Document No. 1622341.
 Parcel 3:
 Together with the benefit of the easements for flowage, drainage and storage of surface waters contained in that certain Easement dated January 28, 1972, filed February 6, 1972, as Document No. 1622342.
 Parcel 4:
 Together with the benefit of the easements for flowage, drainage and storage of surface waters contained in that certain Easement dated January 28, 1972, filed February 6, 1972, as Document No. 1622343.
 Legal descriptions per 60th Commission.

VICINITY MAP



City of Edina, Minnesota (No Scale)



ZONING & SETBACK INFORMATION

- PROPERTY ZONED R.U.C. #1 (PLANNED OFFICE DISTRICT)
- SETBACKS BUILDING
- FRONT = 30' OR BUILDING HEIGHT, WHICHEVER IS GREATER.
- INTERIOR = 20' OR BUILDING HEIGHT, WHICHEVER IS GREATER.
- REARING SETBACKS:
- 20' FROM STREET
- 20' FROM WEST (RESIDENTIAL AREA)
- 10' FROM SOUTH
- ABOVE INFORMATION PER "CITY TACUM" AT CITY PLANNING DEPARTMENT (952-426-6440) 6/20/14

I hereby certify to #7200 France LLC & Anchor Bank, N.A. & Commercial Partners Title, LLC, Old Republic National Title Insurance Company & NHH Companies L.L.C. to their heirs, successors and assigns, that I have surveyed the property legally described herein; that this survey is a true, correct and accurate drawing and representation of real property and the boundaries thereof; that this map or plan and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" as properly established and adopted by ALTA and ACSM in 2011, and include Items 2, 4, 5, 6, 7, 8, 9, 11, 12, 13 and 14 of Table A thereof, and except for the Agency Standards as adopted by ALTA and ACSM and to reflect on the face of this certification, and that in issuing or certifying recorded instruments or other recorded documents I have relied upon the Commission for Title Insurance issued by Commercial Partners Title, LLC, dated June 17th, 2014 file no. 38174 Third Supplement.

Dated July 14th, 2014

REV. 07/18/14, ENGINEER COMMENTS
 REV. 07/15/14, ADDITIONAL UTILITY INFO.

[Signature]
 Eric R. Vakkari, P.L.S. 04123

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JOB #14081

